



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
REGULAR MEETING
NOVEMBER 2, 2011

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:45 a.m. in the 7th Floor Board Room at the Air District Headquarters, 939 Ellis Street, San Francisco, California.

**Questions About
an Agenda Item**

The name, telephone number and e-mail of the appropriate staff Person to contact for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:45 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

Public Comment Procedures

Persons wishing to make public comment must fill out a Public Comment Card indicating their name and the number of the agenda item on which they wish to speak, or that they intend to address the Board on matters not on the Agenda for the meeting.

Public Comment on Non-Agenda Matters, Pursuant to Government Code Section 54954.3 For the first round of public comment on non-agenda matters at the beginning of the agenda, ten persons selected by a drawing by the Clerk of the Boards from among the Public Comment Cards indicating they wish to speak on matters not on the agenda for the meeting will have three minutes each to address the Board on matters not on the agenda. For this first round of public comments on non-agenda matters, all Public Comment Cards must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to commencement of the meeting. The remainder of the speakers wishing to address the Board on non-agenda matters will be heard at the end of the agenda, and each will be allowed three minutes to address the Board at that time.

Members of the Board may engage only in very brief dialogue regarding non-agenda matters, and may refer issues raised to District staff for handling. In addition, the Chairperson may refer issues raised to appropriate Board Committees to be placed on a future agenda for discussion.

Public Comment on Agenda Items After the initial public comment on non-agenda matters, the public may comment on each item on the agenda as the item is taken up. Public Comment Cards for items on the agenda must be submitted in person to the Clerk of the Boards at the location of the meeting and prior to the Board taking up the particular item. Where an item was moved from the Consent Calendar to an Action item, no speaker who has already spoken on that item will be entitled to speak to that item again.

Up to ten (10) speakers may speak for three minutes on each item on the Agenda. If there are more than ten persons interested in speaking on an item on the agenda, the Chairperson or other Board Member presiding at the meeting may limit the public comment for all speakers to fewer than three minutes per speaker, or make other rules to ensure that all speakers have an equal opportunity to be heard. Speakers are permitted to yield their time to one other speaker; however no one speaker shall have more than six minutes. The Chairperson or other Board Member presiding at the meeting may, with the consent of persons representing both sides of an issue, allocate a block of time (not to exceed six minutes) to each side to present their issue.

BOARD OF DIRECTORS REGULAR MEETING AGENDA

WEDNESDAY
NOVEMBER 2, 2011
9:45 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Chairperson, Tom Bates
Clerk of the Boards

PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

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CONSENT CALENDAR (ITEMS 1 – 5)

Staff/Phone (415) 749-

1. Minutes of the Board of Directors Regular Meeting of October 5, 2011

Clerk of the Boards

2. Board Communications Received from October 5, 2011 through November 1, 2011

J. Broadbent/5052

jbroadbent@baaqmd.gov

A list of communications directed to the Board of Directors received by the Air District from October 5, 2011 through November 1, 2011 if any, will be at each Board Member's place.

3. Air District Personnel on Out-of-State Business Travel

J. Broadbent/5052

jbroadbent@baaqmd.gov

In accordance with Section 5.4 (b) of the Air District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the attached memorandum lists Air District personnel who have traveled on out-of-state business.

4. Quarterly Report of California Air Resources Board Representative - Honorable Ken Yeager

J. Broadbent/5052

jbroadbent@baaqmd.gov

5. Authorize Expenditures from Approved Fiscal Year Ending 2012 Budget

J. Broadbent/5052
jbroadbent@baaqmd.gov

Recommend Board of Directors' approval to authorize the Executive Officer/APCO to execute agreements not to exceed \$350,000 with Vertigo Software, and execute agreements not to exceed \$375,000 with Trinity Technology Group for replacement of Air District legacy software systems, from the approved Fiscal Year Ending (FYE) 2012 budget.

COMMITTEE REPORTS AND RECOMMENDATIONS

6. Report of the **Executive Committee** Meeting of October 19, 2011
CHAIR: T. BATES

7. Report of the **Budget and Finance Committee** Meeting of October 19, 2011
CHAIR: C. GROOM

The Committee recommends Board of Directors' approval of contracts to Security Management Group International (SMGI) for Front Lobby Building Security and Admiral Security for armed security services in the back of the building on Willow Street. The combined contract amount is not to exceed \$457,000.00.

8. Report of the **Mobile Source Committee** Meeting of October 27, 2011
CHAIR: S. HAGGERTY

The Committee recommends Board of Directors' approval of the following items:

A) Transportation Fund for Clean Air Policies (TFCA) for County Program Managers for Fiscal Year Ending (FYE) 2013:

1. Approve TFCA County Program Manager Policies and Procedures for FYE 2013.

B) Regional Electric Vehicle Deployment Planning Grants:

1. Authorize the Executive Officer/APCO to enter into contracts accepting awards from the California Energy Commission and the U.S. Department of Energy.

C) Transportation Fund for Clean Air (TFCA) Regional Funds for Shuttle, Ridesharing and Vanpool Projects:

1. Approve \$4 million in FYE 2012 TFCA Regional Funds for Shuttle, Ridesharing and Vanpool Projects.

9. Report of the **Climate Protection Committee** Meeting of October 31, 2011
CHAIR: J. HOSTERMAN

10. Report of the **Public Outreach Committee** Meeting of October 31, 2011
CHAIR: M. ROSS

PRESENTATION

11. Status Update on Regional Headquarters Acquisition

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Board will receive an status update on Regional Headquarters Acquisition.

CLOSED SESSION

12. **EXISTING LITIGATION (Government Code Section 54956.9(a))**

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case(s):

California Building Industry Association v. Bay Area AQMD, Alameda County Superior Court, Case No. RG-10548693

OPEN SESSION

PUBLIC COMMENT ON NON-AGENDA MATTERS

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3

Speakers who did not have the opportunity to address the Board in the first round of comments on non-agenda matters will be allowed three minutes each to address the Board on non-agenda matters.

BOARD MEMBERS' COMMENTS

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

OTHER BUSINESS

13. Report of the Executive Officer/APCO
14. Chairperson's Report
15. Time and Place of Next Meeting – At 9:45 A.M. Wednesday, November 16, 2011 – at 939 Ellis Street, San Francisco, CA 94109
16. Adjournment

CONTACT EXECUTIVE OFFICE - 939 ELLIS STREET SF, CA 94109

(415) 749-5130
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities. Notification to the Executive Office should be given at least 3 working days prior to the date of the meeting so that arrangements can be made accordingly.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's headquarters at 939 Ellis Street, San Francisco, CA 94109, at the time such writing is made available to all, or a majority of all, members of that body. Such writing(s) may also be posted on the Air District's website (www.baaqmd.gov) at that time.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
939 ELLIS STREET, SAN FRANCISCO, CALIFORNIA 94109
(415) 771-6000

EXECUTIVE OFFICE:
MONTHLY CALENDAR OF DISTRICT MEETINGS

OCTOBER 2011

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Climate Protection Committee <i>(At the Call of the Chair)</i>	Monday	31	10:00 a.m.	4 th Floor Conf. Room
Board of Directors Public Outreach Committee <i>(At the Call of the Chair)</i>	Monday	31	Immediately Following Climate Protection Cme. Meeting	4 th Floor Conf. Room

NOVEMBER 2011

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	2	9:45 a.m.	Board Room
Board of Directors Nominating Committee <i>(At the Call of the Chair)</i>	Wednesday	2	Immediately Following Regular Board Meeting	Room 716
Advisory Council Meeting <i>(Meets 2nd Wednesday each Month)</i>	Wednesday	9	9:00 a.m.	Board Room
Board of Directors Personnel Committee <i>(At the Call of the Chair)</i>	Monday	14	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	16	9:45 a.m.	Board Room

Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i> - CANCELLED	Thursday	24	9:30 a.m.	4 th Floor Conf. Room
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Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i>	Monday	28	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Stationary Source Committee <i>(At the Call of the Chair)</i>	Monday	28	Immediately Following Mobile Source Cme.	4 th Floor Conf. Room

DECEMBER 2011

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	7	9:45 a.m.	Board Room
Advisory Council Meeting <i>(Meets 2nd Wednesday each Month)</i>	Wednesday	14	9:00 a.m.	Board Room
Board of Directors Budget & Finance Committee <i>(At the Call of the Chair)</i>	Wednesday	14	9:30 a.m.	4 th Floor Conf. Room

DECEMBER 2011

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee <i>(At the Call of the Chair)</i>	Monday	19	9:30 a.m.	4 th Floor Conf. Room
Board of Directors Regular Meeting <i>(Meets 1st & 3rd Wednesday of each Month)</i>	Wednesday	21	9:45 a.m.	Board Room
Board of Directors Mobile Source Committee <i>(Meets 4th Thursday each Month)</i> - CANCELLED	Thursday	22	9:30 a.m.	Board Room

HL – 10/27/11 (3:25 p.m.)

P/Library/Forms/Calendar/Calendar/Moncal

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2011

Re: Board of Directors Draft Meeting Minutes

RECOMMENDED ACTION

Approve attached draft minutes of the Board of Directors Regular Meeting of October 5, 2011.

DISCUSSION

Attached for your review and approval are the draft minutes of the Board of Directors Regular Meeting of October 5, 2011.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer Cooper

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109

Board of Directors Regular Meeting
Wednesday, October 5, 2011
9:45 a.m.

DRAFT MINUTES

CALL TO ORDER: Chairperson Tom Bates called the Regular Meeting to order at 9:50 a.m.

Pledge of Allegiance: Vice Chairperson John Gioia led the Pledge of Allegiance.

Roll Call:

Present: Chairperson Tom Bates; Vice Chair John Gioia; and Directors John Avalos, Susan Gorin, Carole Groom, Scott Haggerty, Jennifer Hosterman, David Hudson, Carol Klatt, Nate Miley, Johanna Partin, Mark Ross, James Spering, Gayle B. Uilkema, Ken Yeager and Shirlee Zane. Secretary Ash Kalra, Directors Susan Garner and Eric Mar arrived after the roll call was taken.

Absent: Directors Harold Brown, Liz Kniss and Brad Wagenknecht.

PUBLIC COMMENT ON NON-AGENDA MATTERS: Chairperson Bates opened the public comment period and there were none.

CONSENT CALENDAR (Items 1-6):

1. Minutes of the October 5, 2011 Regular Meeting.
2. Board Communications Received from September 21, 2011 through October 5, 2011.
3. Air District Personnel on Out-of-State Business Travel.
4. Notice of Proposed Amendments to the Air District's Administrative Code Division III Personnel Policies and Procedures – Section 11 Leave and Holidays: 11.14 Benevolent Leave Fund.
5. Notice of Proposed Amendments to the Air District's Administrative Code Division III Personnel Policies and Procedures – Section 2 Equal Employment Opportunity Policy.
6. Consider Revision of the Classification Specification of Clerk of the Boards.

Board Action: Director Ross made a motion to approve Consent Calendar Items 1 through 6; Director Hudson seconded the motion; which carried unanimously without objection.

COMMITTEE REPORTS AND RECOMMENDATIONS

9. Report of the Stationary Source Committee Meeting of September 29, 2011

Chair: Gayle B. Uilkema

Director Uilkema reported that the Stationary Source Committee met on September 29, 2011 and approved the minutes of July 7, 2011.

The Committee received an update on proposed Draft Regulation 12, Rule 13: Metal Melting and Processing Operations. The Committee also received an update on proposed Draft Regulation 8, Rule 53: Vacuum Truck Operations.

The next meeting of the Stationary Source Committee is at the call of the Chair.

Director Miley asked about the status of the Metal Melting rule. Director Uilkema stated the Committee received updates and input, which staff will incorporate in the formulation of their proposal to the Board of Directors.

Board Action: Director Uilkema made a motion to approve the report of the Stationary Source Committee; Director Spering seconded the motion; which carried unanimously without objection.

7. Report of the Mobile Source Committee Meeting of September 22, 2011

Chair: Scott Haggerty

Director Haggerty reported that the Mobile Source Committee met on September 22, 2011 and approved the minutes of June 30, 2011.

The Committee received an update on the Port Drayage Truck Program.

The Committee also received an update on the Regional Bicycle Sharing Pilot project and recommended the following:

Approve San Francisco Municipal Transportation Authority's request to use fiscal year 2011/12 Transportation Fund for Clean Air County Program Manager funds as a local match for the Regional Bicycle Sharing Pilot Project, and adopt a resolution that authorizes the Executive Officer/APCO to execute the Right of Way Certification form for the Regional Bicycle Sharing Pilot Project.

The next meeting of the Mobile Source Committee is scheduled for Thursday, October 27, 2011 at 9:30 a.m.

Board Action: Director Haggerty made a motion to approve the report of the Mobile Source Committee; Director Hosterman seconded the motion; which carried unanimously without objection.

Director Miley said staff has been working very closely with Director Miley on the Port Drayage Truck Program to ensure the drayage trucks that are servicing ports that are registered in Alameda County have an opportunity to receive new trucks so that they do not go out of business, and obtain resources from both the Air District and the California Air Resources Board (CARB). Director Miley also thanked staff for their work.

8. Report of the Legislative Committee Meeting of September 26, 2011
Chair: Susan Garner

Director Hudson reported that the Legislative Committee met on September 26, 2011 and approved the minutes of April 4, 2011.

The Committee received an update on the 2011 legislative year, including bills the Air District supported, opposed and sponsored.

The next meeting of Legislative Committee is at the call of the Chair.

Board Action: Director Hudson made a motion to approve the report of the Legislative Committee; Director Haggerty seconded the motion; which carried unanimously without objection.

Chair Bates said that SB 310 was signed into law, authored by Senator Hancock. This bill will provide financing to districts around transit.

PRESENTATION

10. Overview of the Air District's Permit and Enforcement and Programs.

Brian Bateman, Director, Compliance and Enforcement, provided the staff report. Overall goal is to implement and enforce adopted regulatory requirements to ensure that emissions are adequately controlled to achieve clean air. Those goals include:

- Protecting public health
- Avoiding public nuisances
- Protecting and improving the global climate

Air districts have direct regulatory authority over stationary sources of air pollution.

Mr. Bateman said the permit and enforcement programs make up of approximately 70% of the Air District budget which is equivalent to \$44 million per year. The costs of the programs are covered by two sources which include:

- Fees – Collected by regulated entities; and
- Property Taxes

Mr. Bateman showed the following staffing breakdown:

- Compliance & Enforcement Division
 - 104 FTEs (69 are inspection staff)
- Engineering Division
 - 68 FTEs
- Technical Services Division
 - Source testing and laboratory
 - 20 FTEs
- Legal Division
- Executive Office

Mr. Bateman stated the Air District implements a number of rules that affect stationary sources. Some of those rules include:

Type of Rule	Approx. Number of Adopted Rules	Pollutants Regulated			
		Criteria	Toxics	Odors	GHGs
District Rules	105	X	X	X	X
CARB Airborne Toxic Control Measures (ATCM)	10		X		
EPA New Source Performance Standards (NSPS)	90	X			
EPA National Emission Standards for Hazardous Air Pollutants (NESHAP)	125		X		
CARB AB-32 Rules	5				X

Criteria = Pollutants for which Ambient Air Quality Standards have been set (and their precursors)

GHGs = Greenhouse Gases

Mr. Bateman provided the Board of Directors with an overview of the various air quality permits and registrations. These permits include:

- Authority to Construct / Permit to Operate
 - 1500 – 3000 permit applications per year
 - 10,300 facilities have Permits to Operate
- Prevention of Significant Deterioration (PSD) permits
 - 1 – 5 permit applications per year
- Title V permits (Federal Operating Permits)
 - 90 facilities have Title V permits
 - 40 facilities have Synthetic Minor Operating Permits (SMOPs)
 - 50 – 100 permit applications per year
- Equipment registrations
 - 1400 sources are registered

Mr. Bateman explained the details on Authority to Construct (ATC), which included the following:

- Authority to Construct (ATC)
 - Required for new/modified sources since July 1, 1972
 - Preconstruction permit review to ensure that proposed sources and control devices meet applicable requirements

- Apply case-by-case requirements of New Source Review (NSR)
- Permit conditions
- CEQA must be addressed before an ATC is issued
- ATC issued 'Source Constructed' 'Start-up period' 'PTO issued
- Permit to Operate (PTO)
 - Renewed on an annual, or biannual, basis
 - By 1980, PTOs required for grandfathered sources

Director Gorin asked how are new businesses informed how they are notified about the Air District's preconstruction review. Mr. Bateman stated the businesses would need to have knowledge of the requirements and this is done through the Air District's outreach program, in addition to having information on the Air District's website.

Director Garner asked about CEQA permits: does the Air District utilize the resources of an outside consultant. Mr. Bateman stated that the applicant pays the costs of the outside consultants, and the air quality analysis is conducted in-house due to the Air District's expertise.

Mr. Bateman continued with an overview of the New Source Review. The New Source Review consists of:

- Criteria air pollutants (and their precursors)
 - Best Available Control Technology (BACT)
 - Emission Offsets
 - Emission Banking
 - Air Quality Impact Analysis
 - PSD permit requirements
 - Federal air quality permit program for projects at major stationary sources (delegated to BAAQMD)
 - Focus is on pollutants with an "attainment" designation
- Toxic Air Contaminants
 - Program began in 1987; codified into District rule in 2005
 - Requirements based on results of site-specific Health Risk Screening Analysis (HRSA)
 - Uses Office of Environmental Health Hazard Assessment (OEHHA) Health Risk Assessment Guidelines
 - Best Available Control Technology for Toxics (T-BACT)
 - Project risk limits
- Greenhouse Gases (GHGs)
 - New BACT requirement for PSD permits

Mr. Bateman continued with an overview of the Title V Permits. Title V is a Federal requirement, delegated to the Air District and applies to "major stationary sources," which is based on the facilities emissions or their potential to emit. Mr. Bateman stated there are different thresholds for different pollutants. One hundred tons per year (tpy) for criteria pollutants, lower levels for toxics and for greenhouse gases the limits are higher. Mr. Bateman also stated that facilities must obtain a detailed

operating permit that lists all the applicable emission limits and compliance provisions as well as requiring recordkeeping.

Title V Permits are renewed every five years, and revised on an ongoing basis due to changes at facility or changes to rule requirements.

Mr. Bateman also provided an explanation of the Air Toxic Hot Spots Program which applies to facilities, based on their toxic emissions. This program applies to both new and existing facilities. Listed below is a summary of the program which includes:

- Statewide program that applies to existing facilities that emit toxic air contaminants
- Guidelines set by CARB and OEHHA
- Air districts implement and enforce
- Five program elements
 - Emissions inventory
 - Facility prioritization
 - Health Risk Assessment
 - Public notification
 - Risk reduction audits and plans

Mr. Bateman continued with information on the Compliance Assistance Program. The Compliance Assistance Program consists of:

- Educate and provide assistance to businesses regarding air quality requirements to increase compliance rates
- Services provided:
 - Compliance Hotline – Provides answers over the phone (> 700 per yr.)
 - Officer of the Day – Provides assistance for more complex/technical compliance issues
 - Compliance Advisories, Tips and FAQ – Informs specific industries of requirements that affect their operations (~15 per yr.)
 - Industry Compliance Schools – Educates industry on compliance with applicable requirements
 - Small Business Incentives
 - Recent schools – Mobile Coaters, Graphic Arts, Wood Coaters
 - Speakers Bureau – Subject matter experts speak to trade associations and other groups on District requirements and air quality issues

Chairperson Bates requested Mr. Bateman conclude his presentation and requested the remainder of the presentation slides 12 through 21 be heard at the next Board of Directors meeting.

Director Haggerty asked about backyard open burning and what the Air District can do it. Mr. Bateman stated this is a difficult area for the Air District and this sort of burning is not allowed on a Winter Spare the Air day. If there are documented excessive visual emissions then the individual could be cited, but it is rather difficult to do. Director Haggerty asked what is the Air District doing to address backyard burning. Jack Broadbent, Executive Officer/APCO, stated the Spare the Air Winter season begins November 1, 2011, and that staff is planning to walk through the Spare the Air Program with the Board. Mr. Broadbent also stated that burning garbage is prohibited under the Air District's rule anytime of the year.

Mr. Broadbent further elaborated stating that the Air District tries to identify what is referred to as a public nuisance. The Air District will step in when the matter is more than a private matter, affecting more than a neighbor. Brian Bunger, Legal Counsel, confirmed when there is only one other person impacted, it is considered a private nuisance. If there are a group of people then it is considered a public nuisance.

Chairperson Bates asked about outdoor burning and Mr. Bunger stated there is an exception to the rule for recreational fires, with the exception of Winter Spare the Air. Chairperson Bates also asked if the cities can provide assistance. Mr. Broadbent stated there are cities that have more stringent requirements than the Air District.

Chairperson Bates thanked Mr. Bateman for his presentation.

Public Comment: Chair Bates opened the public comment period.

Mr. Andy Katz, Breathe California. Mr. Katz stated the permit and enforcement programs are important for making sure we have clean air. In addition, Mr. Katz requested the Air District continue to look at cumulative impacts and how this issue will be addressed.

Director Uilkema requested a clearer understanding of enforcement program and how it is related to Title V issuance.

Board Action: None; receive and file.

11. Update on the National Ambient Air Quality Standard for Ozone

Jean Roggenkamp, Deputy Air Pollution Control Officer provided the Board with an update on recent activity with regard to the National Ozone and provide an update on the Summer Ozone season to date.

Ms. Roggenkamp's overview consisted of:

- What is a National Ambient Air Quality Standard (NAAQS)?
- What's involved with setting the standard?
- History of the National Ozone Standard
- Recent actions by the Administration and EPA
- What does it mean for the Bay Area?
- Next steps

Ms. Roggenkamp stated the Federal Clean Air Act has a requirement that the Environmental Protection Agency (EPA) set NAAQS, which are intended to protect public health and the environment. There are primary standards that are set especially focus on sensitive individuals, the young, elderly and individuals who are currently ill, without regard to cost.

Ms. Roggenkamp said the Federal Clean Air Act also requires that the Clean Air Scientific Advisory Committee (CASAC) review the health studies that are done by universities and foundations, to look at the health effect on people when they breathe unhealthy air.

Ms. Roggenkamp stated in 2006, CASAC recommended to EPA that they set the ozone NAAQS between 0.060 – 0.070 parts per million (ppm).

Estimated Health Effects Avoided under Alternative Standard Levels.

Health Impact	0.070 ppm	0.060 ppm
Chronic Bronchitis	880	2,200
Nonfatal heart attacks	2,200	5,300
Hospital/ER visits	6,700	21,000
Acute bronchitis	2,100	5,300
Respiratory symptoms	44,000	111,000
Aggravated asthma	23,000	58,00
Days of missed work/school	770,000	2.5 million
Days of restricted activities	2.6 million	8.1 million
Avoided premature mortality	1,500 to 4,300	4,000 to 12,000

Ms. Roggenkamp stated the ozone standard has been revised at both the State and Federal levels over time, the current California 8-hour ozone standard over an 8-hour period is 0.070 ppm, and the Federal standard is currently 0.075 ppm.

Ms. Roggenkamp continued providing an update of recent Administration actions which include:

- In 2008, EPA set the ozone standard at 0.075 ppm, even though CASAC advised range of 0.060 ppm - 0.070 ppm
- In 2009, EPA initiated reconsideration of the 0.075 ppm standard considering CASAC's range; implementation of the 0.075 ppm standard was put on hold
- In September 2011, EPA withdrew its reconsideration of the 0.075 ppm standard
- EPA is now working on the implementation rule(s) for the 0.075 ppm standard

Once EPA sets a new or revised NAAQS, EPA adopts implementation rules that define:

- Designations of attainment / non-attainment
- Classifications (e.g. marginal, moderate, serious, severe, extreme)
- Deadlines for attaining the standard
- Requirements for plans, rules, programs, monitoring, modeling, conformity of transportation plans, rates of progress, etc.

Ms. Roggenkamp provided a summary of the ozone season to date. The summary includes:

Year	NATIONAL 8-HOUR	STATE 1-HOUR	STATE 8-HOUR
2010	9	8	11
2011	4	5	10

Ms. Roggenkamp provided an overview of how the Bay Area is doing relative to other major air basins in California, and the Bay Area Air District's has the least numbers of days with exceedances and generally some of the lowest maximum values.

Ms. Roggenkamp continued that the NAAQS for the 8-hour ozone level is that you look at the fourth high for three years in a row, at each station and average the fourth high and compare it to the standard. The standard is 0.075 ppm. To determine if your region is in attainment, you look at each individual station.

Those results include:

Station	2009 4 th highest (ppm)	2010 4 th highest (ppm)	2011 4 th highest (ppm)	3 Year Average 4 th highest (ppm)
Livermore	0.081	0.074	0.074	0.076
San Martin	0.077	0.079	0.068	0.074
Concord	0.073	0.071	0.075	0.073
Bethel Island	0.075	0.078	0.071	0.074
Gilroy	0.070	0.080	0.065	0.071
Los Gatos	0.077	0.069	0.065	0.070

Ms. Roggenkamp explained the year to year variability in values due to weather patterns. In addition, Ms. Roggenkamp stated the Bay Area is currently classified as "marginal" non-attainment for 0.08 ppm standard set in 1997. Ms. Roggenkamp said the Bay Area will now be designated and classified for the 0.075 ppm standard.

Ms. Roggenkamp concluded the presentation with next steps, including:

- Continue to reduce emissions of ozone precursors through all feasible measures (2010 Clean Air Plan)
- Track adoption of EPA implementation rule(s) to determine designation, classification, planning requirements, etc.
- Likely that Bay Area will continue to be a “marginal” non-attainment area
- CASAC will likely recommend lowering the Ozone Standard when it is reviewed in 2013 based on the normal 5-year review cycle

Ms. Roggenkamp stated that ozone air quality is improving because of the work that the Board of Directors, the State and Federal levels, but we have more work to do ensure we have healthy air all the time.

Director Uilkema asked about the consequences of not meeting attainment. Ms. Roggenkamp said if we are out of attainment, there are specific requirements which may include a revised plan and implementing rules. If you submit your plan but do not attain the standard then you must update your plan.

Director Garner asked if the monitoring stations are measuring the level of ozone on a continuous basis. Ms. Roggenkamp stated the monitors operate on a continual basis. Director Garner asked about the accuracy of the equipment. Eric Stevenson, Director, Technical Services stated that for ozone instruments the level of detection is one part per billion which is extremely accurate. In addition, the instrument is calibrated every night and corrected if out of calibration. Director Garner also asked about the health impacts. Ms. Roggenkamp stated the Air District does not conduct separate health research.

Director Haggerty asked staff to include ozone in the CARE program. Mr. Broadbent stated staff will look at the ambient concentrations of regional air pollutants and have it included as part of defining the CARE communities.

Public Comments: None.

Board Action: None; receive and file.

CLOSED SESSION

Chair Bates adjourned the meeting into a closed session at 11:05 a.m.

12. EXISTING LITIGATION (Government Code Section 54956.9(a))

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following case(s):

California Building Industry Association v. Bay Area AQMD, Alameda County Superior Court, Case No. RG-10548693

Our Children’s Earth Foundation v. Bay Area AQMD, and Jack P. Broadbent, San Francisco County Superior Court, Case No. CPF-11-511437

13. **ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9(c), a need exists to meet in closed session to discuss one potential litigation matter.

OPEN SESSION

Chair Bates reconvened the meeting at 11:45 a.m. and stated the Air District has agreed to a settlement with Our Children's Earth Foundation, and provided advice relative to the other cases at this time.

PUBLIC COMMENT ON NON-AGENDA MATTERS

No one from the public addressed the Board at this time.

BOARD MEMBERS' COMMENTS

Director Garner comment was on behalf of Director Hosterman requesting the Air District revisit the vote for 390 Main Street. Other Board members spoke against that request.

OTHER BUSINESS

14. Report of the Executive Officer/APCO – Mr. Broadbent provided a summary of the potential move to 390 Main Street. Mr. Broadbent has agreed to provide information to the Board generated by the Metropolitan Transportation Commission (MTC) relative to 390 Main Street.

Mr. Broadbent also provided an update on the Blueprint for Healthy Communities Summit, stating that the Air District has received reimbursement from various deposits.

Mr. Broadbent also introduced the new Employee Association President, Julian Elliott. Mr. Broadbent also recognized outgoing President, Steve Chin. Mr. Chin thanked the Board for their strong support.

15. Chairperson's Report – Chairperson Bates announced the October 19, 2011 Board of Directors meeting is cancelled. In addition Chairperson Bates stated the Executive Committee will meet on October 19, 2011.
16. Time and Place of Next Meeting – At 9:45 a.m., Wednesday, November 2, 2011; at 939 Ellis Street, San Francisco, CA 94109.
17. Adjournment – Chair Bates adjourned the meeting at 12:05 p.m.

Vanessa Johnson
Executive Secretary II

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2011

Re: Board Communications Received from October 5, 2011 through
November 1, 2011

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

A list of communications directed to the Board of Directors received by the Air District from October 5, 2011 through November 1, 2011 if any, will be at each Board Member's place at the November 2, 2011 Regular Board meeting.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer Cooper

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 20, 2011

Re: District Personnel on Out-of-State Business Travel

RECOMMENDED ACTION:

Receive and file.

BACKGROUND

In accordance with Section 5.4 (b) of the District's Administrative Code, Fiscal Policies and Procedures Section, the Board is hereby notified that the following District personnel have traveled on out-of-state business.

The out-of-state business travel summarized below covers the period from October 1, 2011 through October 31, 2011. Out-of-state travel is reported in the month following travel completion.

DISCUSSION

Eric Stevenson, Technical Services Division Director, attended the NACAA Air Monitoring Steering Committee Meeting in Denver, CO, October 24, 2011 – October 26, 2011

Saffet Tanrikulu, Research & Modeling Manager, attended at the American Association for Aerosol Research Annual Conference in Orlando, FL, October 2, 2011 – October 7, 2011

Philip Martien, Senior Advanced Project Advisor, attended at the American Association for Aerosol Research Annual Conference in Orlando, FL, October 2, 2011 – October 7, 2011

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Glasser
Reviewed by: Jack M. Colbourn



Air Resources Board

Mary D. Nichols, Chairman
 1001 I Street • P.O. Box 2815
 Sacramento, California 95812 • www.arb.ca.gov



Matthew Rodriguez
 Secretary for
 Environmental Protection

Edmund G. Brown Jr.
 Governor

TO: Members of the Board of Directors

FROM: Honorable Ken Yeager 
 Board Member

DATE: October 6, 2011

SUBJECT: QUARTERLY REPORT OF MY ACTIVITIES AS AN AIR RESOURCES BOARD MEMBER

The list below summarizes my activities as an Air Resources Board member from July 1 through September 30, 2011:

July Activities

21ST Air Resources Board Meeting, Sacramento

August Activities

22nd Air Resources Board Staff Briefings

23rd Meeting with Environmental and Public Health Advocates re Cap and Trade

24TH Air Resources Board Meeting, Sacramento

September Activities

6th Air Resources Board Staff Briefing on Cap and Trade

22ND Air Resources Board Meeting, Sacramento

Attachments: Public Agendas

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

LOCATION:



Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814

<http://www.calepa.ca.gov/EPAbldg/location.htm>

**PUBLIC MEETING
AGENDA**

July 21, 2011

Webcast
Electronic Board Book

This facility is accessible by public transit. For transit information, call:
(916) 321-BUSS, website <http://www.sacrt.com/>
(This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS ON AN
AGENDA ITEM IN ADVANCE OF THE
MEETING GO TO:**

<http://www.arb.ca.gov/lispub/comm/bclist.php>

July 21, 2011
9:00 a.m.

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item # Agenda Topic

11-5-1 Public Meeting to Consider the Approval of the Proposed AB 118 Air Quality Improvement Program Funding Plan for Fiscal Year 2011-12
Staff will present to the Board the proposed Air Quality Improvement Program (AQIP) Funding Plan for Fiscal Year 2011-12, which provides staff's recommendations for allocating the \$40 million of AQIP project funding in the Governor's proposed budget. Staff recommends directing most of the AQIP funding to continue incentives for the purchase of new hybrid trucks and buses and zero-emission passenger cars. The remaining funding would be allocated to advanced technology demonstration projects. AQIP, created under Assembly Bill 118 (2007), provides incentive funding through 2015 for clean vehicle and equipment projects.

[More Information](#)

[Staff Presentation](#)

11-5-3 Public Hearing to Consider the Approval of Proposed State Implementation Plan (SIP) Revisions for 8-Hour Ozone and Minor Technical Revisions to the PM 2.5 SIP Transportation Conformity Budgets

Staff will present for Board consideration proposed revisions to the South Coast and San Joaquin Valley Ozone State Implementation Plans for submittal to the United States Environmental Protection Agency. These plans were originally submitted in 2007. The proposed revisions are limited to an updated calendar of the Air Resources Board rulemaking, adjustments to transportation conformity budgets, and revisions to reasonable further progress tables and associated reductions for contingency purposes for the South Coast and San Joaquin Valley.

[More Information](#)

[Staff Presentation](#)

11-5-4 Public Meeting to Present the 2010 Haagen-Smit Clean Air Awards

The recipients of the 2010 Haagen-Smit Clean Air Awards will be announced. The Board annually presents the Haagen-Smit Clean Air Awards to individuals in the air quality community who have made significant contributions toward improving air quality and public health.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

Pacific Merchant Shipping Association v. Goldstene, U.S. District Court (E.D. Cal. Sacramento), Case No. 2:09-CV-01151-MCE-EFB.

POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County), Case No. 09CECG04850.

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB.

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-CV-00163-AWI-GSA.

Association of Irrigated Residents, et al. v. California Air Resources Board, Superior Court of California (San Francisco County), Case No. CPF-09-509562.

Association of Irrigated Residents, et al. v. U.S. E.P.A., 2011 WL 310357 (C.A.9), (Feb. 2, 2011).

California Dump Truck Owners Association v. California Air Resources Board, U.S. District Court (E.D. Cal. Sacramento) Case No. 2:11-CV-00384-MCE-GGH.

Engine Manufacturers Association v. California Air Resources Board,

*Sacramento Superior Court,
Case No. 34-2010-00082774.*

OPPORTUNITY FOR MEMBERS OF THE BOARD TO COMMENT ON MATTERS OF INTEREST

Board members may identify matters they would like to have noticed for consideration at future meetings and comment on topics of interest; no formal action on these topics will be taken without further notice.

OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

Although no formal Board action may be taken, the Board is allowing an opportunity to interested members of the public to address the Board on items of interest that are within the Board's jurisdiction, but do not specifically appear on the agenda. Each person will be allowed a maximum of three minutes to ensure that everyone has a chance to speak.

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

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1001 I Street, 23rd Floor, Sacramento, CA 95814, (916) 322-5594

ARB Homepage: <http://www.arb.ca.gov>

To request a special accommodation or language needs for any of the following:

- An interpreter to be available at the hearing.
- Have documents available in an alternate format (i.e. Braille, Large print) or another language.
- A disability-related reasonable accommodation.

Please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Para solicitar alguna comodidad especial o necesidad de otro idioma para alguna de las siguientes:

- Un intérprete que esté disponible en la audiencia
- Tener documentos disponibles en un formato alterno (por decir, sistema Braille, o en impresión grande) u otro idioma.

LOCATION:

Air Resources Board
 1001 I Street, 2nd Floor
 Byron Sher Auditorium
 Sacramento, California 95814
<http://www.calepa.ca.gov/EPAbldg/location.htm>

PUBLIC MEETING AGENDA

August 24, 2011

Webcast

Please note: The meeting this month will be held on a Wednesday.

This facility is accessible by public transit. For transit information, call: (916) 321-BUSS, website <http://www.sacrt.com/> (This facility is accessible to persons with disabilities.)

TO SUBMIT WRITTEN COMMENTS ON AN AGENDA ITEM IN ADVANCE OF THE MEETING GO TO:

<http://www.arb.ca.gov/lispub/comm/bclist.php>

Wednesday, August 24, 2011

9:00 a.m.

(Spanish Interpretation Services Available)

DISCUSSION ITEMS:

<u>Agenda Item</u>	<u>Agenda Topic</u>
<u>#</u>	

11-6-1	<p>Public Hearing to Consider the AB 32 Scoping Plan and the Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document</p> <p><i>Staff will update the Board on AB 32 climate change program activities and the AB 32 Scoping Plan, and will present for the Board's consideration the Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document (Final Supplement). The Final Supplement, which was released in draft form for public comment on June 13, 2011, provides an expanded description and environmental analysis of the five alternatives analyzed in the 2008 AB 32 Scoping Plan Functional Equivalent Document. Written responses to comments received on the draft Supplement have been prepared by ARB staff and will be made publicly available prior to the Board meeting on ARB's website at http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm.</i></p>
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At the hearing, the Board will consider for approval the Final Supplement, along with the AB 32 Scoping Plan Functional Equivalent Document, and the written responses to comments prepared by ARB staff. The Board will also make a

decision on whether to approve the AB 32 Scoping Plan, as proposed by staff, or to instead direct staff to pursue a different alternative.

More Information

Staff Presentation

CLOSED SESSION – LITIGATION

The Board will hold a closed session, as authorized by Government Code section 11126(e), to confer with, and receive advice from, its legal counsel regarding the following pending or potential litigation:

*POET, LLC, et al. v. Goldstene, et al., Superior Court of California (Fresno County),
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Case No. 1:09-CV-02234-LJO-DLB.*

National Petroleum & Refiners Association, et al. v. Goldstene, et al., U.S. District Court (E.D. Cal. Fresno) Case No. 1:10-CV-00163-AWI-GSA.

Association of Irrigated Residents, et al. v. California Air Resources Board, Superior Court of California (San Francisco County), Case No. CPF-09-509562.

Association of Irrigated Residents, et al. v. U.S. E.P.A., 2011 WL 310357 (C.A.9), (Feb. 2, 2011).

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*Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court,
Case No. 34-2010-00082774.*

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OPEN SESSION TO PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD ON SUBJECT MATTERS WITHIN THE JURISDICTION OF THE BOARD

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LOCATION:



Air Resources Board
1001 I Street, 2nd Floor
Byron Sher Auditorium
Sacramento, California 95814
<http://www.calepa.ca.gov/EPAbldg/location.htm>

**PUBLIC MEETING
AGENDA**

September 22, 2011

Webcast

This facility is accessible by public transit. For transit information, call: (916) 321-BUSS, website <http://www.sacrt.com/> (This facility is accessible to persons with disabilities.)

**TO SUBMIT WRITTEN COMMENTS ON AN
AGENDA ITEM IN ADVANCE OF THE
MEETING GO TO:**

Electronic Board Book

<http://www.arb.ca.gov/lispub/comm/bclist.php>

September 22, 2011
9:00 a.m.

CONSENT CALENDAR:

All items on the consent calendar will be voted on by the Board immediately after the start of the public meeting. Any item may be removed from the consent calendar by a Board member or by someone in the audience who would like to speak on that item. The following item is on the consent calendar:

Consent Item # Agenda Topic

**11-7-1 Public Hearing to Consider Approval of the Proposed State
Implementation Plan Revision for Federal Lead Standard Infrastructure
Requirements**

Staff will present to the Board for approval the infrastructure State Implementation Plan (SIP) for the federal lead standard that was revised in 2008. The infrastructure SIP specifies the resources and authority the State has in place to address the revised standard.

[More Information](#)

[Proposed Resolution](#)

DISCUSSION ITEMS:

Note: The following agenda items may be heard in a different order at the Board meeting.

Agenda Item # Agenda Topic

11-7-2 Public Meeting to Consider the Approval of ARB's 2011 Annual Research Plan

Staff will present the proposed 2011 Annual Research Plan. The proposed plan identifies research concepts for Fiscal Year 2011-2012. Following Board action, approved concepts will be developed into research proposals for review by the ARB Research Screening Committee.

[More Information](#)

[Staff Presentation](#)

11-7-3 Public Meeting to Hear an Update on San Diego's Sustainable Communities Strategy (SCS), and Update on SCS Development in other Regions In California

Staff will update the Board on the status of regional actions to develop Sustainable Communities Strategies (SCS), including San Diego's draft SCS.

[More Information](#)

[Staff Presentation](#)

11-7-4 Public Hearing to Consider Amendments to the Vapor Recovery Certification and Test Procedures for Underground and Aboveground Storage Tanks Including Gasoline Dispensing Facility Hose Regulation

Staff will present to the Board proposed amendments to ARB's regulations for vapor recovery certification and test procedures for underground and aboveground storage tanks used at gasoline dispensing facilities (service stations and similar facilities). The amendments include a proposed new requirement for low permeation hoses at gasoline dispensing facilities.

[More Information](#)

[Staff Presentation](#)

11-7-5 Public Hearing to Consider Amendments to the Regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards

Staff will present to the Board proposed amendments to the current cargo handling equipment regulation. The proposed amendments provide additional compliance flexibility, maintain anticipated emissions reductions, and make clarifying changes.

[More Information](#)

[Staff Presentation](#)

CLOSED SESSION – LITIGATION

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Case No. 09CECG04850.*

Rocky Mountain Farmers Union, et al. v. Goldstene, U.S. District Court (E.D. Cal. Fresno), Case No. 1:09-CV-02234-LJO-DLB.

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California Dump Truck Owners Association v. California Air Resources Board, U.S. District Court (E.D. Cal. Sacramento) Case No. 2:11-CV-00384-MCE-GGH.

Engine Manufacturers Association v. California Air Resources Board, Sacramento Superior Court, Case No. 34-2010-00082774.

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<http://www.arb.ca.gov/board/online-signup.htm>

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 24, 2011

Re: Authorize Expenditures from Approved FYE 2012 Budget

RECOMMENDED ACTION:

Recommend that the Board of Directors authorize the Executive Officer/APCO to execute agreements not to exceed \$350,000 with Vertigo Software, and execute agreements not to exceed \$375,000 with Trinity Technology Group for replacement of District legacy software systems, from the approved Fiscal Year Ending (FYE) 2012 budget.

DISCUSSION

At the October 19, 2011 Budget and Finance Committee meeting, staff described their intention to authorize continued work with Vertigo Software and Trinity Technology Group in the Board of Directors consent calendar. The Air District has used resources from Vertigo Software, and Trinity Technology group in prior fiscal years, and staff recommends the continued use of proven resources familiar with Air District Systems.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

This recommendation authorizes expenditures from the approved Air District Information Systems (FYE) 2012 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2011

Re: Report of the Executive Committee Meeting of October 19, 2011

RECOMMENDED ACTION:

None; receive and file.

BACKGROUND

The Executive Committee met on Wednesday, October 19, 2011. The Committee received the following reports:

- A) Production System Update
- B) Particulate Matter (PM) Planning
- C) Status Report on Joint Regional Governance Headquarters

Attached are the staff reports presented in the Executive Committee packet.

Chairperson Tom Bates will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None.
- B) None. Resources to prepare the abbreviated PM2.5 State Implementation Plan (SIP) submittal, as well as the PM work plan to complement the abbreviated PM2.5 SIP, are included in the fiscal year ending (FYE) 2011/2012 budget and will be considered in the preparation of the FYE 2012/2013 budget.

C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Attachments

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Tom Bates and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2011

Re: Production System Project Update

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Staff will present the current status of this multi-year project, and a brief description of the next milestones. In December of 2006 staff presented the plan for implementation of the new production system. At that time, staff indicated that execution of the plan would be accompanied by detailed reports on the project status and accomplishments.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Tom Bates and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2011

Re: Particulate Matter (PM) Planning

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Pursuant to the Federal Clean Air Act, US EPA must periodically review the National Ambient Air Quality Standards (NAAQS) for six “criteria” pollutants, including particulate matter (PM), to ensure that the standards protect public health with an adequate margin of safety, based upon the most recent health studies. In 2006, US EPA took action to significantly tighten the 24-hour NAAQS for PM_{2.5} (often referred to as “fine PM”) from 65 $\mu\text{g}/\text{m}^3$ (micro-grams per cubic meter) to 35 $\mu\text{g}/\text{m}^3$. Based on air quality monitoring data for the 2006-2008 period, EPA designated the Bay Area as non-attainment for the 24-hour national PM_{2.5} standard in December 2009. Non-attainment areas are required to prepare a State Implementation Plan (SIP) submittal to US EPA by fall 2012 to demonstrate how they will attain the standard by December 2014.

When EPA issued the non-attainment designations, the Bay Area exceeded the 24-hour PM_{2.5} NAAQS by only a slight margin. The Bay Area’s design value, the metric that describes a region’s status relative to a NAAQS, was 36 $\mu\text{g}/\text{m}^3$. Since that time, Bay Area PM_{2.5} levels have declined. Monitoring data for 2008-2010 shows that the Bay Area met the 24-hour national PM_{2.5} standard during this period. Our design value for the 2008-2010 period is 31 $\mu\text{g}/\text{m}^3$, well below the 35 $\mu\text{g}/\text{m}^3$ standard.

The recent reduction in peak values of PM_{2.5} in the Bay Area can be attributed to emission reductions achieved by control programs, including the District’s wood-burning rule and other regulations. Reduced emissions related to the economic downturn, and favorable meteorology (not conducive to PM_{2.5} build-up) in recent winters also may have influenced PM levels.

DISCUSSION

EPA guidelines provide that in the case where monitoring data demonstrates that a designated non-attainment air district currently attains the NAAQS, the Air Resources Board may submit a “clean data finding” to EPA on behalf of the district. If EPA approves the “clean data finding”, then, in lieu of preparing an attainment plan, the district has the option to prepare and submit either 1) an abbreviated SIP, or 2) a re-designation request and maintenance plan.

Staff believes that it would be premature to submit a re-designation request and maintenance plan at this point in time. Instead, it would be most prudent to prepare an abbreviated PM2.5 SIP, while continuing to monitor progress in reducing PM2.5 over the next several years.

There are three required elements for an abbreviated PM2.5 SIP:

- An emission inventory for primary PM2.5, as well as precursors that contribute to secondary PM formation
- A transportation conformity budget for emissions of primary PM2.5 and NOx from on-road motor vehicles (to be developed in coordination with MTC)
- Amendments to the District’s New Source Review (NSR) regulation to address PM2.5 as a regulated pollutant

Despite progress toward attaining the 24-hour PM2.5 NAAQS, there are compelling reasons to continue to enhance our efforts to reduce emissions, ambient concentrations, and population exposure to fine PM. The Bay Area 2010 Clean Air Plan presented an analysis of the health burden that air pollution imposes on Bay Area residents. This analysis identified PM2.5 as the pollutant which poses the greatest risk to the Bay Area populace, and found that exposure to PM2.5 accounts for more than 90% of premature mortality related to air pollution in the Bay Area. Epidemiological studies show that there are significant health impacts related to PM2.5, even below existing state and national standards. In addition, PM is a very complex pollutant; there are major gaps in our knowledge regarding the health impacts and risks associated with specific components and size fractions of PM, and the biological mechanisms by which PM damages public health.

For these reasons, staff believes that the District should prepare a comprehensive PM work plan to complement the abbreviated PM2.5 SIP submittal. This non-SIP document will lay out a broad, long-range work plan to guide the District’s efforts in reducing PM over the coming decade. The District must provide the abbreviated PM2.5 SIP submittal to ARB by August 2012. Staff intends to prepare the comprehensive PM work plan in the same time frame.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Resources to prepare the abbreviated PM2.5 SIP submittal, as well as the PM work plan to complement the abbreviated PM2.5 SIP, are included in the FY 2011/12 budget and will be considered in the preparation of the FY 2012/13 budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: David Burch
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Tom Bates and Members
of the Executive Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 12, 2011

Re: Status Report on Joint Regional Governance Headquarters

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

On October 12, 2011, the Metropolitan Transportation Commission and Bay Area Toll Authority voted to proceed with the purchase of 390 Main Street in San Francisco. The purchase is anticipated to close on Thursday, October 13, 2011. Staff will review the next steps.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2011

Re: Report of the Budget and Finance Meeting of October 19, 2011

RECOMMENDED ACTION:

The Committee recommends Board of Directors' approval of the following:

- A) Contracts to Security Management Group International (SGI) for front lobby building security and Admiral Security for armed security services in the back of the building on Willow Street. The combined contract amount is not to exceed \$457,000.00

BACKGROUND

The Budget and Finance Committee met on Wednesday, October 19, 2011. The Committee received the following reports:

- A) Air District Security Contracts
- B) District Financial Overview

Chairperson Carole Groom requested the Committee defer the following reports until its next meeting.

First Quarter Financial Report – Fiscal Year 2011-2012; and
Update on Development of a Cost Recovery Policy

Attached are the staff reports presented in the Budget and Finance Committee packet.

Chairperson Carole Groom will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) SMGI will bill the Air District at a rate of \$29.82/hour straight time, and \$44.73/hour for holidays. The annual cost of \$264,443.76 is for twenty-four (24) hour security at the Air District.

Admiral Security will bill the Air District at a rate of \$65.84/hour. The annual cost of \$192,252.80/year is for armed security 4-8 a.m. and 4-8 p.m. Monday – Friday only.

- B) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Attachments

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Carole Groom and Members
of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 29, 2011

Re: Air District Security Contracts

RECOMMENDED ACTION

The Committee will consider recommending Board of Directors' approval of contracts to Security Management Group International (SMGI) for Front Lobby Building Security and Admiral Security for armed security services in the back of the building on Willow Street. The combined contract amount is not to exceed \$457,000.00.

BACKGROUND

The Air District staff recently completed a Request for Proposal (RFP) process to solicit responses for front lobby security and Willow Street security.

DISCUSSION

The RFP was released on August 19, 2011, and proposals were due on September 12, 2011; 4 responses were received.

The contract will have a term of twelve months, which may be extended for two additional years at the District's sole discretion. After evaluating proposals, conducting interviews and checking references, SMGI received the highest ranking and is recommended to receive the awarding of lobby security contract, and Admiral Security received the highest ranking for and is recommended to receive awarding of the Willow Street security contract.

EVALUATION

The top three companies were interviewed by a panel comprised of Air District staff representing the Legal Division, Employees Association and Administrative Services Division. The interviews were held on September 28, 2011.

The scoring and total points for each for the three companies interviewed for front lobby security and Willow Street security are contained in the following table:

Front Lobby Security:

Company:	SMGI	National Security Industries	Admiral Security
Panelist #1	10	8	7
Panelist # 2	9	7	6
Panelist #3	10	7	7
Panelist #4	9	7	7
Average:	9.5	7.5	6.75

Willow Street Security:

Company:	SMGI	National Security Industries	Admiral Security
Panelist #1	8	8	9
Panelist # 2	7	7	9
Panelist #3	8	8	10
Panelist #4	6	7	9
Average:	7.25	7.5	9.25

BUDGET CONSIDERATION/FINANCIAL IMPACT

SMGI will bill the Air District at a rate of \$29.82/hr straight time, and \$44.73/hr for holidays. The annual cost of \$264,443.76 is for twenty-four (24) hour security at the Air District.

Admiral Security will bill the Air District at a rate 65.84/hr. The annual cost of \$192,252.80/yr. is for armed security 4-8 a.m. and 4-8 p.m. Monday – Friday only.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Mary Ann Okpalauugo
Approved by: Jack M. Colbourn

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Groom and Members
of the Budget and Finance Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 4, 2011

Re: District Financial Overview

RECOMMENDED ACTION

None; receive and file.

DISCUSSION

Staff will review the Air District response to fiscal challenges. The review will include a discussion of the strategies employed during the Fiscal Year End (FYE) 2012 budget cycle. Implications for the coming FYE 2013 budget process will also be reviewed.

BUDGET CONSIDERATION/FINANCIAL IMPACT

No budget impact.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 24, 2011

Re: Report of the Mobile Source Committee Meeting of October 27, 2011

RECOMMENDED ACTIONS:

The Committee recommends Board of Directors' approval for the following items:

A) Proposed Revisions to Transportation Fund for Clean Air (TFCA) County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2031)

- 1) *Approve proposed revisions to County Program Manager Fund Policies to govern allocation of FYE 2013 TFCA County Program Manager funds.*

B) Regional Electric Vehicle Deployment Planning Grants

- 1) *Adopt a resolution that authorizes the Executive Officer/APCO to enter into contracts with the South Coast Air Quality Management District (South Coast) and the California Energy Commission (CEC) to receive and expend PEV (plug-in electric vehicles) planning funding.*
- 2) *Authorize the allocation of \$200,000 in match funding for both grants from the Transportation Fund for Clean Air (TFCA) Regional Fund.*

C) Transportation Fund for Clean Air (TFCA) Regional Funds for Shuttle, Ridesharing and Vanpool Projects

- 1) *Approve TFCA Shuttle, Ridesharing and Vanpool projects listed in Attachment 1.*
- 2) *Authorize the Executive Officer/APCO to enter into agreements for the recommended TFCA projects on Attachment A in the amount of \$4,089,221.*
- 3) *Approve project revisions and Board adopted policy requirement waiver to Project #10R15-Estuary Crossing Bicycle/College Shuttle-Pilot Shuttle project.*

BACKGROUND

The Mobile Source Committee met on Thursday, November October 27, 2011. The Committee received and considered the following reports and recommendations:

- A) Consideration of Proposed Revisions to Transportation Fund for Clean Air (TFCA) County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2013,
- B) Regional Electric Vehicle Deployment Planning Grants,
- C) Transportation Fund for Clean Air (TFCA) Regional Funds for Shuttle, Ridesharing and Vanpool Projects; and
- D) Update on Port Drayage Truck Program

Attached are the staff reports presented in the Mobile Source Committee packet.

Chairperson, Scott Haggerty will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None. The recommended policy changes have no impact on the Air District's budget.
- B) None. The Air District match and administrative funding for these projects comes from the TFCA program.
- C) None. The Air District distributes "pass-through" funds to public agencies and private entities on a reimbursement basis. Administrative costs for the TFCA program is provided by the funding source.
- D) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2011

Re: Consideration of Proposed Revisions to Transportation Fund for Clean Air (TFCA)
County Program Manager Fund Policies for Fiscal Year Ending (FYE) 2013

RECOMMENDED ACTION:

Recommend Board of Directors:

- Approve proposed revisions to County Program Manager Fund Policies to govern allocation of FYE 2013 TFCA County Program Manager funds.

BACKGROUND

Pursuant to California Health and Safety Code Sections 44241 and 44242, a \$4 per vehicle annual surcharge is imposed on all motor vehicles registered within the boundaries of the Bay Area Air Quality Management District (Air District). By law, 40% of these revenues are distributed to designated Program Managers in each of the nine counties within the Air District's jurisdiction. Each year the Air District's Board of Directors is required to adopt policies that maximize emissions reductions and public health benefits. As part of this report, staff will present policies for FYE 2013 for Committee review.

DISCUSSION

On September 21, 2011, Air District staff issued a request for comments on proposed revisions to FYE 2013 TFCA Program Manager Policies. Air District staff met with Program Manager representatives via conference call on September 29, 2011 to discuss proposed revisions and to address concerns. Additionally, three Program Managers submitted written comments to staff by the October 7, 2011 deadline. Many of these comments have been incorporated into the policies that are before the Committee today. Additionally, it should be noted that changes to the guidelines this year are relatively minor and center on language cleanup to ensure consistency with health and safety code requirements.

Attachment A contains the proposed FYE 2013 Policies and Attachment B shows the changes between the proposed policies and the previous year's policies. A listing of comments received and responses by the Air District is provided in Attachment C.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None. The recommended policy changes have no impact on the Air District's budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Geraldina Grünbaum
Reviewed by: Karen Schkolnick

Attachments:

- A. Proposed TFCA County Program Manager Fund Policies for FYE 2013
- B. Proposed FYE 2013 Policies Compared with FY 2011/2012 Policies
- C. Comments Received and Staff Responses on Proposed Policies

BOARD-ADOPTED TFCA COUNTY PROGRAM MANAGER FUND POLICIES FOR FYE 2013

The following policies apply only to the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

BASIC ELIGIBILITY

- 1. Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA Program Manager Fund Policies for FYE 2013.

Projects must achieve surplus emission reductions, beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations at the time of the execution of a funding agreement between the Program Manager and the sub-awardee.

- 2. TFCA Cost-Effectiveness:** Projects must achieve TFCA cost-effectiveness, on an individual project basis, equal to or less than \$90,000 of TFCA funds per ton of total of emissions reduced, unless a different value is specified in the below policy for that project type. Cost-effectiveness is based on the ratio of TFCA funds awarded divided by the sum total tons of reactive organic gases (ROG), oxides of nitrogen (NO_x), and weighted particulate matter 10 microns in diameter and smaller (PM10) reduced (\$/ton).

Program Manager administrative costs are excluded from the calculation of TFCA cost-effectiveness.

- 3. Eligible Projects, and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the California Health and Safety Code (HSC) section 44241, Air District Board adopted policies and Air District guidance. On a case-by-case basis, Program Managers must receive approval by the Air District for projects that are authorized by the HSC Section 44241 and achieve Board-adopted TFCA cost-effectiveness, but do not fully meet other Board-adopted Policies.
- 4. Consistent with Existing Plans and Programs:** All projects must comply with the transportation control measures and mobile source measures included in the Air District's most recently approved plan for achieving and maintaining State and national ambient air quality standards, those plans and programs established pursuant to California Health & Safety Code (HSC) sections 40233, 40717 and 40919, and, when applicable, with other adopted State, regional, and local plans and programs.
- 5. Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District.

- A. Public agencies are eligible to apply for all project categories.
 - B. Non-public entities are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7). No single non-public entity may be awarded more than \$500,000 in TFCA County Program Manager Funds in each funding cycle.
6. **Readiness:** Projects must commence in calendar year 2013 or sooner. “Commence” includes any preparatory actions in connection with the project’s operation or implementation. For purposes of this policy, “commence” can mean the issuance of a purchase order to secure project vehicles and equipment, the delivery of the award letter for a service contract or the delivery of the award letter for a construction contract.
7. **Maximum Two Years Operating Costs:** Projects that provide a service, such as ridesharing programs and shuttle and feeder bus projects, are eligible to apply for a period of up to two (2) years. Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Project sponsors who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project will be excluded from future funding for five (5) years from the date of the Air District’s final determination in accordance with HSC section 44242, or duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the project was not implemented as set forth in the project funding agreement.

In case of a failed audit, a Program Manager may be subject to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC Section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed funding agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District’s award of funds for a project. Program Managers may only incur costs (i.e., an obligation made to pay funds that cannot be refunded) after the funding agreement with the Air District has been executed.
10. **Insurance:** Each County Program Manager and project sponsor must maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with estimated coverage amounts provided in Air District guidance and final amounts specified in the respective funding agreements throughout the life of the project(s).

INELIGIBLE PROJECTS

- 11. Duplication:** Grant applications for projects that duplicate existing TFCA-funded projects (including Bicycle Facility Program projects) and therefore do not achieve additional emission reductions are ineligible. Combining TFCA County Program Manager Funds with TFCA Regional Funds to achieve greater emission reductions for a single project is not considered project duplication.
- 12. Planning Activities:** Funding may not be used for any planning activities, feasibility studies or other planning activities that are not directly related to the implementation of a specific project or program.
- 13. Employee Subsidies:** Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to employees of the project sponsor are not eligible.

USE OF TFCA FUNDS

- 14. Cost of Developing Proposals:** The costs of developing grant applications for TFCA funding are not eligible to be reimbursed with TFCA funds.
- 15. Combined Funds:** TFCA County Program Manager Funds may be combined with TFCA Regional Funds to fund a project that is eligible and meets the criteria for funding under both. For the purpose of calculating TFCA cost-effectiveness, the combined sum of TFCA County Program Manager Funds and TFCA Regional Funds shall be used to calculate the TFCA cost of the project.
- 16. Administrative Costs:** Administrative costs for TFCA County Program Manager Funds are limited to a maximum of five percent (5%) of the actual Department of Motor Vehicles (DMV) fee revenues that correspond to each county, received for a given fiscal year. Interest earned on prior DMV funds received shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the funding agreement between the Air District and the Program Manager.
- 17. Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year. A County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two (2) one-year (1-year) schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the funding agreement between the Program Manager and the Air District is amended to reflect the revised schedule.
- 18. Unallocated Funds:** Pursuant to HSC 44241(f), any TFCA County Program Manager funds that are not allocated to a project within six months of the Air District Board of Directors approval of the Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make

reasonable effort to award these funds to eligible projects within the same county from which the funds originated.

19. Reserved for potential future use.

20. Reserved.

21. Reserved.

ELIGIBLE PROJECT CATEGORIES

22. Alternative Fuel Light-Duty Vehicles:

Eligibility: For TFCA purposes, light-duty vehicles are those with a gross vehicle weight rating (GVWR) of 8,500 lbs. or lighter. Light-duty vehicle types and equipment eligible for funding include:

- A. New hybrid-electric, electric, fuel cell, and CNG/LNG vehicles certified by the CARB as meeting established super ultra low emission vehicle (SULEV), partial zero emission vehicle (PZEV), advanced technology-partial zero emission vehicle (AT-PZEV), or zero emission vehicle (ZEV) standards.
- B. New electric neighborhood vehicles (NEV) as defined in the California Vehicle Code.
- C. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use (e.g., plug-in hybrid systems).

Gasoline and diesel (non-hybrid) vehicles are not eligible for TFCA funding. Funds are not available for non-fuel system upgrades such as transmission and exhaust systems and should not be included in the incremental cost of the project.

TFCA funds awarded may not exceed incremental cost after all other applicable manufacturer and local/state/federal rebates, tax credits, and cash equivalent incentives are applied. Incremental cost is the difference in cost between the purchase or lease price of the new vehicle and/or retrofit, and its new conventional vehicle counterpart that meets, but does not exceed, 2011 emissions standards.

Each vehicle funded must meet the cost-effectiveness requirement.

23. Alternative Fuel Medium Heavy-Duty and Heavy Heavy-Duty Service Vehicles (low-mileage utility trucks in idling service):

Eligibility: For TFCA purposes, medium and heavy-duty service vehicles are on-road motor vehicles with a Gross Vehicle Weigh Rating (GVWR) of 14,001 lbs. or heavier. This category includes only vehicles in which engine idling is required to perform the primary function (for example, crane or aerial bucket trucks). In order to qualify for this incentive, each new vehicle must be placed into a service route that has a minimum idling time of 520 hours/year, and a minimum mileage of 500 miles/year.

TFCA funds awarded may not exceed the difference in the purchase or lease price of the new clean air vehicle that surpasses the applicable emissions standards and its new conventional

vehicle counterpart that meets, but does not exceed, current emissions standards (incremental cost).

Each vehicle funded must meet the cost-effectiveness requirement.

Scrapping Requirements: Project sponsors of heavy-duty clean air vehicles purchased or leased with TFCA funds that have model year 1998 or older heavy-duty diesel vehicles in their fleet are required to scrap one model year 1998 or older heavy-duty diesel vehicle for each new clean air vehicle purchased or leased with TFCA funds. Costs related to the scrapping of heavy-duty vehicles are not eligible for reimbursement with TFCA funds.

24. Alternative Fuel Heavy-Duty Vehicles (high mileage):

Eligibility: For TFCA purposes, Alternative Fuel Heavy-Duty Vehicles are defined as follows: Light-heavy-duty vehicles (LHDV) are those with a GVWR between 8,501 lbs. and 14,000 lbs., medium-heavy-duty vehicles (MHDV) are those with a GVWR between 14,001 lbs. and 33,000 lbs., and heavy-heavy-duty vehicles (HHDV) are those with a GVWR equal to or greater than 33,001 lbs. LHDV, MHDV and HHDV types and equipment eligible for funding include the following:

- A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.
- B. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use.

TFCA funding may not be used to pay for non-fuel system upgrades such as transmission and exhaust systems.

TFCA funds awarded may not exceed incremental cost after all other applicable manufacturer and local/state rebates, tax credits, and cash equivalent incentives are applied. Incremental cost is the difference in cost between the purchase or lease price of the vehicle and/or retrofit, and its new conventional vehicle counterpart that meets, but does not exceed, 2011 emissions standards.

Scrapping requirements are the same as those in Policy #23. Each vehicle funded must meet the cost-effectiveness requirement.

25. Alternative Fuel Buses:

Buses are subject to the same Eligibility and Scrapping requirements listed in Policy #24. Each vehicle funded must meet the cost-effectiveness requirement.

For purposes of transit and school bus replacement projects, a bus is any vehicle designed, used, or maintained for carrying more than fifteen (15) persons, including the driver. A vehicle designed, used, or maintained for carrying more than ten (10) persons, including the driver, which is used to transport persons for compensation or profit, or is used by any nonprofit organization or group, is also a bus. A vanpool vehicle is not considered a bus.

26. Alternative Fuel Infrastructure:

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites (e.g., electric vehicle, CNG). This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. Funding may be used to cover the cost of equipment and installation.

TFCA-funded infrastructure projects must be available to and accessible by the public. Equipment and infrastructure must be designed, installed and maintained as required by the existing recognized codes and standards and approved by the local/state authority.

Project sponsors are required to maintain the equipment for at least five years after installation.

TFCA funding may not be used to pay for fuel, electricity, operation, and maintenance costs.

27. Ridesharing Projects: Projects that provide carpool, vanpool or other rideshare services are eligible for funding. Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category.

28. Shuttle/Feeder Bus Service:

Projects that significantly lower single-occupancy vehicle trips while minimizing emissions created by the shuttle vehicle are eligible for funding. The project's route must operate to or from a rail station, airport, or ferry terminal and must coordinate with connecting rail or ferry schedules. Projects cannot replace a local bus service or serve the same route as a local bus service, but rather must connect transit facilities to local commercial, employment and residential areas.

Shuttle/feeder bus service applicants must be either:

- 1) a public transit agency or transit district that directly operates the shuttle/feeder bus service; or
- 2) a city, county, or any other public agency.

Unless the application is the transit agency or transit district that directly implements this project, the project applicant must submit documentation from the General Manager of the transit district or transit agency that provides service in the area of the proposed shuttle route, which demonstrates that the proposed shuttle service does not duplicate or conflict with existing transit agency service.

The following is a listing of eligible vehicle types that may be used for service:

- A. a zero-emission vehicle (e.g., electric, hydrogen)
- B. an alternative fuel vehicle (CNG, liquefied natural gas, propane);
- C. a hybrid-electric vehicle;

- D. a post-1998 diesel vehicle with a CARB Verified Diesel Emission Control Strategy (e.g., retrofit); or
- E. a post-1990 gasoline-fueled vehicle.

Pilot shuttle/feeder bus service projects are required to meet a cost-effectiveness of \$125,000/ton during the first two years of operation (see Policy #2). A pilot project is a defined route that is at least 70% unique and has not previously been funded through TFCA. Applicants must provide data supporting the demand for the service, letters of support from potential users and providers, and plans for financing the service in the future.

29. Bicycle Projects:

New bicycle facility projects that are included in an adopted countywide bicycle plan or Congestion Management Program (CMP) are eligible to receive TFCA funds. Eligible projects are limited to the following types of bicycle facilities for public use that result in motor vehicle emission reductions:

- A. New Class-1 bicycle paths;
- B. New Class-2 bicycle lanes;
- C. New Class-3 bicycle routes;
- D. New bicycle boulevards;
- E. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- F. Bicycle lockers;
- G. Capital costs for attended bicycle storage facilities;
- H. Purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets; and
- I. Development of a region-wide web-based bicycle trip planning system.

All bicycle facility projects must, where applicable, be consistent with design standards published in the California Highway Design Manual.

30. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funding. Incident management projects on arterials are eligible to receive TFCA funding. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. For signal timing projects, TFCA funds may only be used for local arterial management projects where the affected arterial has an average daily traffic volume of 20,000 motor vehicles or more, or an average peak hour traffic volume of 2,000 motor vehicles or more (counting volume in both directions). Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

31. Smart Growth/Traffic Calming:

Physical improvements that support development projects and/or calm traffic, resulting in motor vehicle emission reductions, are eligible for TFCA funds, subject to the following conditions:

- A. The development project and the physical improvements must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan; and
- B. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funding.

Traffic calming projects are limited to physical improvements that reduce vehicular speed by design and improve safety conditions for pedestrians, bicyclists or transit riders in residential retail, and employment areas. Only projects with a completed and approved environmental plan may be awarded TFCA funds.

BOARD-ADOPTED TFCA COUNTY PROGRAM MANAGER FUND POLICIES FOR FY ~~E 2013-2011/2012~~

The following policies apply only to the Transportation Fund for Clean Air (TFCA) County Program Manager Fund.

BASIC ELIGIBILITY

- 1. Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA Program Manager Fund Policies for FY ~~E 2013-2011/2012~~.

Projects must achieve surplus emission reductions, beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations at the time of the execution of a funding agreement between the Program Manager and the [Air District sub-awardee](#).

- 2. TFCA Cost-Effectiveness:** Projects must achieve TFCA cost-effectiveness, on an individual project basis, equal to or less than \$90,000 of TFCA funds per ton of total of emissions reduced, unless a different value is specified in the below policy for that project type. Cost-effectiveness is based on the ratio of TFCA funds awarded divided by the sum total tons of reactive organic gases (ROG), oxides of nitrogen (NO_x), and weighted particulate matter 10 microns in diameter and smaller (PM₁₀) reduced (\$/ton).

Program Manager administrative costs are excluded from the calculation of TFCA cost-effectiveness.

- 3. Eligible Projects, and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the California Health and Safety Code (HSC) section 44241, Air District Board adopted policies and Air District guidance. On a case-by-case basis, Program Managers must receive approval by the Air District for projects that are authorized by the HSC Section 44241 and achieve Board-adopted TFCA cost-effectiveness, but do not fully meet other Board-adopted Policies.
- 4. Consistent with Existing Plans and Programs:** All projects ~~categories~~ must comply with the transportation control measures and mobile source measures included in the Air District's most recently approved plan for [achieving and maintaining](#) State and national ambient air quality standards, [those plans and programs established pursuant to California Health & Safety Code \(HSC\) sections 40233, 40717 and 40919](#), and, when applicable, with other adopted State, regional, and local plans and programs.
- 5. Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing [with the Air District](#).

- A. Public agencies are eligible to apply for all project categories.
 - B. Non-public entities are only eligible to apply for new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to, as described in HSC section 44241(b)(7). No single non-public entity may be awarded more than \$500,000 in TFCA County Program Manager Funds in each funding cycle.
6. **Readiness:** Projects must commence in calendar year 201~~3~~² or sooner. “Commence” includes any preparatory actions in connection with the project’s operation or implementation. For purposes of this policy, “commence” can means the issuance of a purchase order to secure to order or accept delivery of project vehicles; and equipment, the delivery of the award letter for a service contract or the delivery of the award letter for services; or to award a construction contract.
7. **Maximum Two Years Operating Costs:** Projects that provide a service, such as ridesharing programs and shuttle and feeder bus projects, are eligible to apply for a period of up to two (2) years. Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **~~Failed~~Independent Air District Audit Findings and Determinations:** Project sponsors who have failed either the fiscal audit or the performance audit for a prior TFCA-funded project will be excluded from future funding for five (5) years from the date of the Air District’s final determination in accordance with HSC section 44242, or duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed fiscal audit means an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed performance audit means that the project was not implemented as set forth in the project funding agreement.

In case of a failed audit, a Program Manager may be subject to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC Section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed funding agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District’s award of funds for a project. Program Managers may only incur costs (i.e., an obligation made to pay funds that cannot be refunded) after the funding agreement with the Air District has been executed.
10. **Insurance:** Each County Program Manager and project sponsor must maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with estimated coverage amounts provided in Air District guidance and final amounts specified in the respective funding agreements throughout the life of the project(s).

INELIGIBLE PROJECTS

- 11. Duplication:** Grant applications for projects that duplicate existing TFCA-funded projects (including Bicycle Facility Program projects) and therefore do not achieve additional emission reductions are ineligible. Combining TFCA County Program Manager Funds with TFCA Regional Funds to achieve greater emission reductions for a single project is not considered project duplication.
- 12. Planning Activities:** ~~Feasibility studies are not eligible, nor are projects that only involve planning activities and that do not include an implementation phase. Funding may not be used for any planning activities, feasibility studies or other planning activities that are not directly related to the implementation of a specific project or program.~~
- 13. Employee Subsidies:** Projects that provide a direct or indirect financial transit or rideshare subsidy or shuttle/feeder bus service exclusively to employees of the project sponsor are not eligible.

USE OF TFCA FUNDS

- 14. Cost of Developing Proposals:** The costs of developing grant applications for TFCA funding are not eligible to be reimbursed with TFCA funds.
- 15. Combined Funds:** TFCA County Program Manager Funds may be combined with TFCA Regional Funds ~~for the to funding of an eligible a project that is eligible and meets the criteria for funding under both, with the exception of clean air vehicle projects.~~ For the purpose of calculating TFCA cost-effectiveness, the combined sum of TFCA County Program Manager Funds and TFCA Regional Funds shall be used to calculate the TFCA cost of the project.
- 16. Administrative Costs:** Administrative costs for TFCA County Program Manager Funds are limited to a maximum of five percent (5%) of the actual Department of Motor Vehicles (DMV) fee revenues that correspond to each county, received for a given fiscal year. Interest earned on prior DMV funds received shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the funding agreement between the Air District and the Program Manager.
- 17. Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year. A County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two (2) one-year (1-year) schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the funding agreement between the Program Manager and the Air District is amended to reflect the revised schedule.
- 18. Unallocated Funds:** Pursuant to HSC 44241(f), any TFCA County Program Manager funds that are not allocated to a project within six months of the Air District Board of Directors approval of the Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make

reasonable effort to award these funds to eligible projects within the same county from which the funds originated.

19. Reserved for potential future use.

20. Reserved.

21. Reserved.

ELIGIBLE PROJECT CATEGORIES

22. Alternative Fuel Light-Duty Vehicles:

Eligibility: For TFCA purposes, light-duty vehicles are those with a gross vehicle weight rating (GVWR) of 8,500 lbs. or lighter. Light-duty vehicle types and equipment eligible for funding include:

- A. New hybrid-electric, electric, fuel cell, and CNG/LNG vehicles certified by the CARB as meeting established super ultra low emission vehicle (SULEV), partial zero emission vehicle (PZEV), advanced technology-partial zero emission vehicle (AT-PZEV), or zero emission vehicle (ZEV) standards.
- B. New electric neighborhood vehicles (NEV) as defined in the California Vehicle Code.
- C. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use (e.g., plug-in hybrid systems).

Gasoline and diesel (non-hybrid) vehicles are not eligible for TFCA funding. Funds are not available for non-fuel system upgrades such as transmission and exhaust systems and should not be included in the incremental cost of the project.

TFCA funds awarded may not exceed incremental cost after all other applicable manufacturer and local/state/federal rebates, tax credits, and cash equivalent incentives are applied. Incremental cost is the difference in cost between the purchase or lease price of the new vehicle and/or retrofit, and its new conventional vehicle counterpart that meets, but does not exceed, 2011 emissions standards.

Each vehicle funded must meet the cost-effectiveness requirement.

23. Alternative Fuel Medium Heavy-Duty and Heavy Heavy-Duty Service Vehicles (low-mileage utility trucks in idling service):

Eligibility: For TFCA purposes, medium and heavy-duty service vehicles are on-road motor vehicles with a Gross Vehicle Weigh Rating (GVWR) of 14,001 ~~lbs.~~ **pounds** or heavier. This category includes only vehicles in which engine idling is required to perform the primary function (for example, crane or aerial bucket trucks). In order to qualify for this incentive, each new vehicle must be placed into a service route that has a minimum idling time of 520 hours/year, and a minimum mileage of 500 miles/year.

TFCA funds awarded may not exceed the difference in the purchase or lease price of the new clean air vehicle that surpasses the applicable emissions standards and its new conventional

vehicle counterpart that meets, but does not exceed, current emissions standards (incremental cost).

Each vehicle funded must meet the cost-effectiveness requirement.

Scrapping Requirements: Project sponsors of heavy-duty clean air vehicles purchased or leased with TFCA funds that have model year 1998 or older heavy-duty diesel vehicles in their fleet are required to scrap one model year 1998 or older heavy-duty diesel vehicle for each new clean air vehicle purchased or leased with TFCA funds. Costs related to the scrapping of heavy-duty vehicles are not eligible for reimbursement with TFCA funds.

24. Alternative Fuel Heavy-Duty Vehicles (high mileage):

Eligibility: For TFCA purposes, Alternative Fuel Heavy-Duty Vehicles are defined as follows: Light-heavy-duty vehicles (LHDV) are those with a GVWR between 8,501 lbs. and 14,000 lbs., medium-heavy-duty vehicles (MHDV) are those with a GVWR between 14,001 lbs. and 33,000 lbs., and heavy-heavy-duty vehicles (HHDV) are those with a GVWR equal to or greater than 33,001 lbs. LHDV, MHDV and HHDV types and equipment eligible for funding include the following:

- A. New hybrid-electric, electric, and CNG/LNG vehicles certified by the CARB or that are listed by the IRS as eligible for a federal tax credit pursuant to the Energy Policy Act of 2005.
- B. CARB emissions-compliant vehicle system retrofits that result in reduced petroleum use.

TFCA funding may not be used to pay for non-fuel system upgrades such as transmission and exhaust systems.

TFCA funds awarded may not exceed incremental cost after all other applicable manufacturer and local/state rebates, tax credits, and cash equivalent incentives are applied. Incremental cost is the difference in cost between the purchase or lease price of the vehicle and/or retrofit, and its new conventional vehicle counterpart that meets, but does not exceed, 2011 emissions standards.

Scrapping requirements are the same as those in Policy #23. Each vehicle funded must meet the cost-effectiveness requirement.

25. Alternative Fuel Buses:

Buses are subject to the same Eligibility and Scrapping requirements listed in Policy #24. Each vehicle funded must meet the cost-effectiveness requirement.

For purposes of transit and school bus replacement projects, a bus is any vehicle designed, used, or maintained for carrying more than fifteen (15) persons, including the driver. A vehicle designed, used, or maintained for carrying more than ten (10) persons, including the driver, which is used to transport persons for compensation or profit, or is used by any nonprofit organization or group, is also a bus. A vanpool vehicle is not considered a bus.

26. Alternative Fuel Infrastructure:

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites (e.g., electric vehicle, CNG). This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. Funding may be used to cover the cost of equipment and installation.

TFCFA-funded infrastructure projects must be available to and accessible by the public. Equipment and infrastructure must be designed, installed and maintained as required by the existing recognized codes and standards and approved by the local/state authority.

~~Eligible infrastructure projects include new electric vehicle charging facilities, or additional equipment or upgrades and improvements that expand access to existing electric vehicle charging sites. This includes upgrading or modifying private charging sites to allow public and/or shared fleet access. Funding may be used to cover the cost of equipment and installation.~~

~~TFCFA-funded charging infrastructure projects must be available to and accessible by the public. Charging/charging equipment and infrastructure must be designed, installed and maintained as required by the existing recognized codes and standards and approved by the local/state authority.~~

Project sponsors are required to maintain the equipment for at least five years after installation.

~~TFCFA funding is limited to 50% of the total project cost and may not exceed a maximum award amount of \$200,000 per project sponsor.~~

TFCFA funding may not be used to pay for fuel, electricity, operation, and maintenance costs.

27. ~~Reserved~~Ridesharing Projects: Projects that provide carpool, vanpool or other rideshare services are eligible for funding. Projects that provide a direct or indirect financial transit or rideshare ~~subsidy~~ are also eligible under this category.

28. Shuttle/Feeder Bus Service:

~~Shuttle/feeder bus service projects are those requesting funds to operate a shuttle or feeder bus. Projects that significantly lower single-occupancy vehicle trips while minimizing emissions created by the shuttle vehicle are eligible for funding. The project's route must operate to or from a rail station, airport, or ferry terminal and. To be eligible, shuttle/feeder bus service schedules must be coordinated with connecting rail or ferry schedules. Projects cannot replace a local bus service or serve the same route as a local bus service, but rather must connect transit facilities to local commercial, employment and residential areas.~~

Shuttle/feeder bus service applicants must be either:

- ~~1) 1) be~~ a public transit agency or transit district that directly operates the shuttle/feeder bus service; or
- 2) a city, county, or any other public agency.

Unless the application is the transit agency or transit district that directly implements this project, the project applicant must, ~~2)~~ submit documentation from the General Manager of the transit district or transit agency that provides service in the area of the proposed shuttle route, which demonstrates that the proposed shuttle service does not duplicate or conflict with existing transit agency service.

~~All vehicles used in shuttle/feeder bus service must meet the applicable CARB standards for public transit fleets use one of the following types of shuttle/feeder bus vehicles. The following is a listing of Eligible vehicle types that may be used for service include:~~

A. a zero-emission vehicle (e.g., electric, hydrogen)

~~A-B.~~ _____ an alternative fuel vehicle (CNG, liquefied natural gas, propane, ~~electric~~);

~~B-C.~~ _____ a hybrid-electric vehicle;

~~C-D.~~ _____ a post-1998 diesel vehicle with a CARB Verified Diesel Emission Control Strategy (e.g., retrofit); or

~~D-E.~~ Aa post-1990 gasoline-fueled vehicle.

Pilot shuttle/feeder bus service projects are required to meet a cost-effectiveness of \$125,000/ton during the first two years of operation (see Policy #2). A pilot project is a defined route that is at least 70% unique and has not previously been funded through TFCA. Applicants must provide data supporting the demand for the service, letters of support from potential users and providers, and plans for financing the service in the future.

29. Bicycle Projects:

New bicycle facility projects that are included in an adopted countywide bicycle plan or Congestion Management Program (CMP) are eligible to receive TFCA funds. Eligible projects are limited to the following types of bicycle facilities for public use that result in motor vehicle emission reductions:

- A. New Class-1 bicycle paths;
- B. New Class-2 bicycle lanes;
- C. New Class-3 bicycle routes;
- D. New bicycle boulevards;
- E. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- F. Bicycle lockers;
- G. Capital costs for attended bicycle storage facilities;
- H. Purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets; and
- I. Development of a region-wide web-based bicycle trip planning system.

All bicycle facility projects must, where applicable, be consistent with design standards published in ~~Chapter 1000 of~~ the California Highway Design Manual.

30. Arterial Management:

Arterial management grant applications must ~~specifically~~ identify a ~~specific given~~ arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funding. Incident management projects on arterials are eligible to receive TFCA funding. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. For signal timing projects, TFCA funds may only be used for local arterial management projects where the affected arterial has an average daily traffic volume of 20,000 motor vehicles or more, or an average peak hour traffic volume of 2,000 motor vehicles or more (counting volume in both directions). Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

31. Smart Growth/Traffic Calming:

Physical improvements that support development projects and/or calm traffic, resulting in motor vehicle emission reductions, are eligible for TFCA funds, subject to the following conditions:

- A. The development project and the physical improvements must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, ~~pedestrian plan~~, traffic-calming plan, or other similar plan; and
- B. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funding.

Traffic calming projects are limited to physical improvements that reduce vehicular speed by design and improve safety conditions for pedestrians, bicyclists or transit riders in residential ~~and retail~~, ~~and employment~~ areas. Only projects with a completed and approved environmental plan may be awarded TFCA funds.

Attachment C: Comments Received and Staff Responses on Proposed FYE 2013 TFCA Program Manager Policies

Commenter and Agency	Comment	Staff Response
Bill Hough, Santa Clara VTA	Policy 1. Reduction of Emissions: Requests retaining the language from the FY 2010/11 Policies that indicated that projects must achieve surplus emission reductions at the time of the execution of “a funding agreement between the Program Manager and the <i>Air District</i> ”, rather than the proposed change to a “funding agreement is between the Program Manager and the <i>sub-awardee</i> .”	Air District staff has retained the requirement that emissions reductions be <i>surplus at the time of an Agreement between the Program Manager and subawardee</i> . The authorizing legislation requires that the emission reductions achieved by a project be surplus and the agreement above serves as the point of obligation of public funds. This prevents projects subject to regulation being funded using TFCA monies.
Lynne March, Sonoma County Transportation Authority (SCTA)	Policy 1. Reduction of Emissions: Requests that the term “fund transfer agreement” replace “funding agreement.”	The Policy will retain the term “funding agreement.” However, Program Managers may use other mechanisms (e.g. fund transfer agreement) to award or allocate funds provided that the TFCA Policy requirements are in place.
Peter Engel, Contra Costa Transportation Authority (CCTA)	Policy 3. Eligible Projects, and Case-by-Case Approval and Policy 4. Consistent with Existing Plans and Programs. Requests clarification regarding the use of “projects” in Policy 3 and “project categories” in Policy 4.	The suggestion has been incorporated in the Policies.
From 9/29/11 teleconference discussion	Policy 4. Consistent with Existing Plans and Programs. During the 9/29/11 teleconference, various Program Manager representatives expressed concern about the additional language in the Policy concerning the plans and programs that must be complied with. Some representatives feel that these changes to the Policy put the onus on the Program Manager to ensure compliance with all strategies. Request that this proposed language be removed.	The Air District has retained the proposed language in order to clarify the scope of the obligations. The additional language clarifies the specific sections in the California Health and Safety Code that must be complied with.
Lynne March (SCTA)	Policy 12. Planning Activities. The proposed language seems to differentiate between a planning study and a planning activity. Recommends rewording the proposed language.	The suggestion has been incorporated in the Policies.
Lynne March (SCTA)	Policy 26. Alternative Fuel Infrastructure. Comments that language is redundant in Policy and should be consolidated. Also, asks that Policy clarify that CNG fueling infrastructure be included.	The suggestion has been incorporated in the Policies.
Lynne March (SCTA)	Policy 26. Alternative Fuel Infrastructure. Requests clarification on whether the requirement that TFCA-funded infrastructure projects be available to and accessible by the public applies only to electric re-charging or other energy sources like CNG.	Given that TFCA dollars are generated through the collection of Department of Motor Vehicle fees paid by the public, at least a portion (if not all) of every infrastructure project funded with these fees should be accessible by the public.

Attachment C: Comments Received and Staff Responses on Proposed FYE 2013 TFCA Program Manager Policies

Committer and Agency	Comment	Staff Response
Chad Rathmann, San Francisco County Transportation Authority (SFCTA)	Policy 26. Alternative Fuel Infrastructure. Supports the removal of the funding caps associated with alternative fuel infrastructure projects.	The language establishing the funding caps has been removed.
Chad Rathmann, (SFCTA)	Policy 27. Ridesharing Projects. Supports the addition of language specific to ridesharing projects.	Comment is noted.
Lynne March (SCTA)	Policy 28. Shuttle/Feeder Bus Service. Asks why gas powered vehicles are allowed.	The Air District allows the use of post-1990 gasoline-fueled vehicles as long as the shuttle project meets all other TFCA funding criteria, including the cost-effectiveness criteria. The Air District's experience in funding shuttle projects through the TFCA Regional Fund has demonstrated that shuttles that rely on gasoline vehicles can be cost-effective.
Lynne March (SCTA)	Policy 29. Bicycle Projects. Please provide clarification of how "I. Development of a region-wide web-based bicycle trip planning system" would fall under the umbrella of the Program Manager Fund.	The question is in regards to existing language in the Policies. Given that MTC's Bike Mapper program has been developed this provision may be unnecessary. During this next year, staff will work with the Program Mangers to explore the need to continue including this project category in future Program Manger Policies.
Lynne March (SCTA), and Chad Rathmann (SFCTA), others	Policy 29. Bicycle Projects. Please clarify if bicycle facility projects must be consistent with the design standards published in the California Highway Design Manual (i.e., if compliance is a legislative requirement). Would the Air District grant project exemptions for those projects not in compliance with the HDM?	To the extent that a bicycle project falls within the scope of California Bicycle Transportation Act, the project must meet the State's design criteria and specifications for bicycle transportation, which are included in the State's Design Manual, (California Streets and Highways Code section 890 et seq.). A project subject to this legal requirement would not be eligible for an exemption from the Air District.
Lynne March (SCTA)	Policy 30. Arterial Management. Suggested change in language in first sentence.	The suggested language has been incorporated into the proposed Policies.
Lynne March (SCTA)	Policy 31. Smart Growth/Traffic Calming. Requests that "pedestrian plan" be included in the list of plans a development project and the physical improvements must be identified in.	The suggested language has been incorporated into the proposed Policies.

Attachment C: Comments Received and Staff Responses on Proposed FYE 2013 TFCA Program Manager Policies

Commenter and Agency	Comment	Staff Response
Lynne March (SCTA)	Policy 31. Smart Growth/Traffic Calming. Requests that traffic calming projects be allowed not just in residential and retail areas, but also in areas with industrial parks, government businesses, etc. Suggests that locational decision be left to local planners and engineers	The suggested language has been incorporated into the proposed Policies.
Bill Hough, Santa Clara (VTA), Robert Guerrero (STA) Chad Rathmann (SFCTA)	Policy 31. Smart Growth/Traffic Calming. During the 9/29/11 teleconference, there was discussion about the air quality impacts of these project types. Some (e.g., Bill Hough) indicate that these projects, esp. traffic calming projects, are unlikely to improve air quality. Others (e.g. Robert Guerrero, Chad Rathmann) indicate that these project types have been shown to have a positive air quality impact in their counties. Likewise, for counties that have a difficult time funding Program Manager projects, these project types are an important recipient of Program Manager funds.	Smart Growth/Traffic Calming remain eligible project types in the proposed Policies. Air District staff is available to assist Program Managers with evaluating proposed projects in order to determine whether they meet TFCA Policies and cost-effectiveness requirements prior to their approval for funding.
Lynne March (SCTA), Chad Rathmann, (SFCTA)	Policy 31. Smart Growth/Traffic Calming. Based on a comment from L. March, there was discussion at the 9/29/11 teleconference about the requirement that only those projects with a completed and approved environmental are eligible for TFCA funding.	Staff is not recommending any changes to the current language this year. The existing language in the Policy was developed last year in cooperation with Program Managers following extensive discussion and input from Program Managers. During this next year, staff will work with Program Managers to further develop and clarify this policy.
Lynne March (SCTA)	Other Issues – Requests that the Funding Year terminology return to “Fiscal Year (FY) 2012/13” rather than the proposed change to “Fiscal Year Ending (FYE) 2013.”	This terminology change to FYE has been instituted as standard throughout the Air District.
From 9/29/11 teleconference discussion, Chad Rathmann (SFCTA)	Other Issues – Request to consolidate Policies. During the 9/29/11 teleconference with Program Managers representatives, there was discussion of consolidating the following policies: <ul style="list-style-type: none"> • Policies 1, 3 and 4 • Policies 11 and 15 	The Air District does not propose to consolidate policies at this date. This idea will be explored with Program Manager representatives during this year to ensure that any change of this extent to the Policies is fully vetted by all.

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 19, 2011

Re: Regional Electric Vehicle Deployment Planning Grants

RECOMMENDATION:

Recommend the Board of Directors:

- Adopt a resolution that authorizes the Executive Officer/APCO to enter into contracts with the South Coast Air Quality Management District (South Coast) and the California Energy Commission (CEC) to receive and expend PEV (plug-in electric vehicles) planning funding.
- Authorize the allocation of \$200,000 in match funding for both grants from the Transportation Fund for Clean Air (TFCA) Regional Fund.

BACKGROUND

Recognizing the potential of PEV to be an important technology in terms of reducing emissions in the Bay Area, the Bay Area Air Quality Management District (Air District) has allocated over \$6 million in TFCA funding to deploy PEV infrastructure over the past two fiscal years [fiscal year ending (FYE) 2010 and 2011] and the current fiscal year FYE 2012. To ensure that these investments in PEV are well coordinated with the region's needs, the Air District has applied for a number of State and Federal grants with its regional agency partners [Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG)] and others to undertake regional planning in both the Bay Area and Monterey regions. As part of this report, staff will update the Committee on recent Air District successes in those grant competitions.

DISCUSSION

Department of Energy (DOE) Grant

On June 10, 2011, the Air District, South Coast and the California Plug-In Electric Vehicle Collaborative (PEVC) submitted a joint application for funding from the United States Department of Energy (DOE), for PEV Planning for the State of California. As part of that application, the Air District applied for \$300,000 in PEV planning funds for the Bay Area and Monterey (Monterey, Santa Cruz, and San Benito) regions.

The Air District portion of the statewide application was prepared in partnership with ABAG, MTC, three Bay Area clean cities coalitions (listed below), the Bay Area Electric Vehicle Strategic Council (Strategic Council) and the Monterey Bay Electric Vehicle Association (MBEVA). It provides for the following allocations of DOE and match funding:

- \$75,000 in DOE funding was requested for the three Bay Area Clean Cities Coalitions (East Bay, San Francisco and Silicon Valley) to perform outreach for the plan. This funding is matched by \$75,000 in TFCA Regional Fund monies (as allocated by the Board of Directors on June 15, 2011)
- \$75,000 was requested for the Air District to hire a consultant to draft and coordinate input into the plan. This funding is matched by \$75,000 in Air District staffing time to assist with the drafting and preparation of the plan (allocated as part of this year's Air District budget in program 317).
- \$150,000 is to be provided for additional consultants to perform additional research on topics identified via the outreach process for the plan. This funding is matched by \$50,000 in funding allocated by the Board to ECotality for PEV planning on February 2, 2011.

Grant Requirements

On September 8, 2011, the DOE notified the Air District that the application for this funding had been successful. Should the Board choose to accept this funding, it comes with the following conditions:

- An 11 point PEV plan for the Bay Area and Monterey regions must be developed within a 1 year timeframe – ending in September 2012.
- The 11 point plan requires the following elements to be addressed:

Table 1 - Required Elements of DOE Planning Grant

<ul style="list-style-type: none"> • Demonstration of Partnerships • Description of Partner Roles • Analysis of Barriers to PEV Implementation • Current Plans for PEV deployment • A Deployment Plan (charging infrastructure) • PEV Benefits Communications Plan 	<ul style="list-style-type: none"> • A Plan to update permitting/ inspection • A Plan to update building codes • A Plan to update zoning, parking local ordinances • A Plan for PEV Marketing , Education and Outreach • A Utility provider plan for PEV expansion
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CEC Grants

Subsequent to the submittal of the DOE grant, on July 27, 2011, the Air District also submitted two grants applications to the California Energy Commission for both the Bay Area and Monterey regions respectively.

Bay Area Region:

The Air District application for the Bay Area region was submitted in partnership with the regional agencies and the Bay Area EV Strategic Council (Strategic Council). The proposal itself required a local coordinating body comprised of cities, local governments, automotive manufacturers, utilities and electric vehicle supply equipment (EVSE) manufacturers. This structure already exists in the Strategic Council and was thus leveraged as part of the proposal. The specific funding allocations for the \$200,000 requested are as follows:

- In order to develop the required PEV plan, the BAAQMD is proposing that the \$200,000 in CEC funding be let via a request for proposals (RFP) for a consultant to perform outreach and development of the planning document required by this solicitation.
- The BAAQMD will also provide cost-sharing (match) in the amount of \$200,000 including:
 - \$50,000 for planning via a contract with ECOtality to match both DOE and CEC funding;
 - \$75,000 (\$25,000 each) to the three Bay Area Clean Cities Coalitions to perform additional outreach to cities, counties and the public as part of the planning process;
 - \$75,000 in BAAQMD staffing including administration and costs to conduct any CEQA analyses required as part of the planning process

CEC staff has accepted that portions of the match funding listed above will be provided to match both the CEC and the Department of Energy's grant funding. However, it should be noted that the CEC requires the Air District and its partners to fund the cost of any CEQA compliance analysis.

As the cost of CEQA analysis for the project is as of yet unknown, staff will return to the Board with an additional request for funding for that portion of the project in Spring 2012, if necessary.

Monterey Region:

At the request of MBEVA, a member of the Silicon Valley Clean Cities group, the Air District submitted an additional application for PEV funding for the Monterey region to CEC. As part of this application, MBEVA's designee Ecology Action will design a plan for that area that complies with CEC requirements (see below). Upon Board approval, the Air District will act as the fiscal agent for this grant. The Air District will also provide oversight and coordination with the Monterey region to ensure that CEC and DOE objectives are aligned for all grants under its purview.

Grant Requirements:

On September 26, 2011, the CEC announced that the Air District had been a successful applicant for two planning grants one for the Bay Area and the other for the Monterey region. This funding is set to be approved at the next CEC meeting following which contracts will be let to successful applicants. Should the Board choose to accept this funding, it comes with the following conditions:

- A 10 point plan must be prepared within two years of contracting with the California Energy Commission.
- The 10 point plan requires the following elements be addressed:

Table 2- Required Elements of CEC Planning Grant

<ul style="list-style-type: none">• PEV deployment guidelines• Infrastructure location identification• Region specific planning data• Permitting, installation and inspection guidelines• Education and promotion plans for PEV	<ul style="list-style-type: none">• Adoption plans for PEV• Charging pattern Data collection plan• Greenhouse gas emissions estimation• Integration of PEV into SCS• Sharing of best practices
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- The Air District will act as fiscal agent for MBEVA and Ecology Action for the Monterey Bay region. This will require staff to perform limited oversight, fiscal and coordination activities.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The Air District match and administrative funding for these projects comes from the TFCA program.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Damian Breen
Reviewed by: Jean Roggenkamp

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

RESOLUTION NO. 2011-_____

A Resolution of the Board of Directors of the Bay Area Air Quality Management District Authorizing the Executive Officer/Air Pollution Control Officer to Enter in to Two Contracts with the California Energy Commission (CEC) and One United States Department of Energy Grant (DOE) Contract administered by the South Coast Air Quality Management District (South Coast)

WHEREAS, the Air District has been awarded two grant contracts from the CEC for the following projects:

1. \$200,000 to develop a regional plan to support PEV vehicles readiness for the Bay Area, and
2. \$200,000 to develop a regional plan to support PEV vehicles readiness for the Monterey Area;

WHEREAS, the Air District has been awarded one grant contract from the South Coast on behalf of the DOE for \$300,000 to develop the Bay Area component of a statewide PEV readiness plan for vehicles and infrastructure;

WHEREAS, CEC has made funds available through its assembly bill (AB) 118 - Alternative and Renewable Fuels and Vehicle Technologies (ARFVT) Program to fund Regional Plans to Support Plug-In Electric Vehicle Readiness and the DOE has made funds available through a Funding Opportunity Announcement (FOA) for Clean Cities Community Readiness and Planning for Plug-In Vehicles and Charging Infrastructure;

WHEREAS, CEC requires a minimum match in funding of twenty (20) percent (%) in non-federal funds for ARFVT program funding and cost sharing is encouraged as part of the DOE –FOA;

WHEREAS, the Air District's proposal proposes the following in cash match and in-kind match for the grants:

1. \$75,000 in Transportation Fund for Clean Air (TFCA) Regional Fund monies for three Bay Area Clean Cities Coalitions (East Bay, San Francisco and Silicon Valley);
2. \$76,209 in TFCA Regional Fund monies for Air District staffing to perform tasks associated with the PEV plan compilation, drafting and outreach required for both the grants;
3. \$50,000 in TFCA Regional Fund monies for additional consultant support to be provided by ECOTality for plan outreach and compilation;
4. Match funding for the CEC grant to Monterey Area will be provided by Ecology Action in the amount of \$53,316 of in-kind staff time;

WHEREAS, the Air District is an eligible project sponsor for CEC and DOE funds;

WHEREAS, pursuant to CEC and DOE, eligible project sponsors wishing to receive AB 118 and federal funds for a project shall submit a resolution from the applicant's governing board stating the title of the person authorized to enter into a grant contract with CEC and/or DOE (or its agent South Coast);

NOW, THEREFORE, BE IT RESOLVED that the Air District is authorized to execute a grant contract for funding for the CEC and DOE projects described above;

BE IT FURTHER RESOLVED that the Air District by adopting this resolution does hereby state that the Air District will provide \$201,209 in cash matching funds for both the CEC and DOE grants.

BE IT FURTHER RESOLVED that the Air District is an eligible sponsor of CEC and DOE funded projects.

BE IT FURTHER **RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed CEC or DOE grant contracts, or the ability of the Air District to deliver such CEC or DOE projects.

BE IT FURTHER RESOLVED that the Air District authorizes its Executive Director/Air Pollution Control Officer, General Manager, or designee to enter into a grant contract with CEC and South Coast on behalf of the Air District for the CEC-ARFVT Program to fund Regional Plans to Support Plug-In Electric Vehicle Readiness Projects or South Coast on behalf of the DOE for the Clean Cities Community Readiness and Planning for Plug-In Vehicles and Charging Infrastructure grant as referenced in this resolution.

BE IT FURTHER RESOLVED that the Air District authorizes the acceptance of CEC-ARFVT Program and DOE - Clean Cities Community Readiness and Planning for Plug-In Vehicles and Charging Infrastructure funds and commits to comply with the requirements of both programs.

The foregoing resolution was duly and regularly introduced, passed and adopted at a regular meeting of the Board of Directors of the Bay Area Air Quality Management District on the Motion of Director _____, seconded by Director _____, on the ____ day of _____, 2011 by the following vote of the Board:

AYES:

NOES:

ABSENT:

Tom Bates
Chair of the Board of Directors

ATTEST:

Ash Kalra
Secretary of the Board of Directors

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 14, 2011

Re: Transportation Fund for Clean Air (TFCA) Regional Funds for Shuttle,
Ridesharing and Vanpool Projects

RECOMMENDATIONS:

Recommend Board of Directors:

1. Approve TFCA Shuttle, Ridesharing and Vanpool projects listed in Attachment 1.
2. Authorize the Executive Officer/APCO to enter into agreements for the recommended TFCA projects on Attachment A in the amount of \$4,089,221.
3. Approve project revisions and Board adopted policy requirement waiver to Project #10R15-Estuary Crossing Bicycle/College Shuttle-Pilot Shuttle project.

BACKGROUND

In 1991, the California State Legislature authorized the Air District to impose a \$4 surcharge on motor vehicles registered within the San Francisco Bay Area to fund projects that reduce on-road motor vehicle emissions. The Air District has allocated these funds to its Transportation Fund for Clean Air (TFCA) to fund eligible projects. The statutory authority for the TFCA and requirements of the program are set forth in California Health and Safety Code Sections 44241 and 44242.

Sixty percent (60%) of TFCA funds are awarded directly by the Air District through a grant program known as the Regional Fund. The remaining forty percent (40%) of TFCA funds are forwarded to the designated agency within each Bay Area county and distributed by these agencies through the Program Manager Fund. Portions of the TFCA Regional Fund are allocated to eligible programs implemented directly by the Air District, including the Smoking Vehicle Program and the Spare the Air Program. The balance is allocated on a competitive basis to eligible projects proposed by project sponsors.

DISCUSSION

FYE 2012 TFCA Shuttle, Ridesharing and Vanpool projects

On July 18, 2011, the Board approved TFCA Fiscal Year Ending 2012 Regional Fund policies for Shuttle, Ridesharing and Vanpool Projects and allocated up to \$4 million for these project types. The Air District opened the Call for Projects on August 1, 2011, and held grant application workshops in San Francisco on August 11, 2011, and in Redwood City on August 18, 2011. The Air District started accepting applications for Shuttle, Ridesharing and Vanpool projects on September 1, 2011. Project applications are accepted and evaluated on a first-come, first-served basis.

Additionally, based on Air District Board adopted policies, 60% of funding is reserved for projects:

- in Highly Impacted Communities (HIC) as defined in the Air District CARE Program
- in Priority Development Areas (PDA)
- that reduce greenhouse gasses (GHG)

As of September 1, 2011, the Air District had received 16 applications requesting a total of \$6,285,128. Of these, six (6) projects were found to meet Board adopted policies and achieve an estimated cost-effectiveness of less than \$83,369. As the total amount of funding requested by these projects was less than the total funding available, Air District staff examined the remainder of the project applications submitted to determine if their cost-effectiveness could be adjusted to meet the program's \$90,000 threshold.

As part of that examination, six (6) projects were identified and modified such that the estimated cost-effectiveness of each equals \$85,500, or 95% of the program maximum. This modification allows all six projects to be funded while providing a reasonable buffer to each with regard to actual ridership and use to help them remain within the cost-effectiveness threshold of the program. Therefore, staff recommends an allocation of TFCA FYE 2012 Regional Funds for 12 projects totaling \$4,089,221 that reduce an estimated 88.8 tons of NO_x, ROG and weighted PM per year. Attachment A to this staff report provides additional information on these projects.

Additionally, four (4) other projects are not recommended for funding based on the fact that three (3) cannot be cost-effective at a reduced dollar amount and the remaining project application is incomplete. A listing of the projects not-recommended for funding is included in Attachment B.

Project 10R15 - Estuary Crossing Bicycle/College

Staff is also recommending the approval of a modification to Project 10R15, Estuary Crossing Bicycle/College - Pilot Shuttle, operated by the City of Alameda, and approved by the Board on December 1, 2010. Since approval of the award of \$193,358, the project sponsor has informed the Air District that they have changed the type of vehicle providing the service. This vehicle has less passenger capacity than the vehicle that was proposed in the application. At this reduced capacity, the project exceeds the cost-effectiveness of \$97,342 at which the Board allocated funding to this project.

Staff is seeking Board consideration of a recommendation to adjust the cost-effectiveness of this project to the maximum allowed \$125,000 per ton of emissions reduced for pilot shuttles. If the Board approves this request, funding for the project would be reduced from \$193,358 to \$167,233 which still allows the pilot project to be completed. Project information is provided in Table 1 below:

Table 1: TFCA Regional Fund Project Information and Cost-Effectiveness (C/E)

Approved Project #	Project Sponsor	Project Title	Original Award	Proposed Award	C/E	NO _x (TPY)	ROG (TPY)	PM (TPY)	CO2 (TPY)	CARE Area
10R15	City of Alameda	Estuary Crossing Bicycle/College Shuttle-Pilot	\$193,358	\$167,233	\$125,000	0.37	0.36	0.28	519	Yes

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None. The Air District distributes “pass-through” funds to public agencies and private entities on a reimbursement basis. Administrative costs for the TFCA program is provided by the funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Director/APCO

Prepared by: Avra Goldman and Geraldina Grünbaum
Reviewed by: Karen Schkolnick

Attachment A: FYE 2012 TFCA Recommended Shuttle, Ridesharing, and Vanpool Projects

Attachment B: FYE 2012 TFCA Shuttle, Ridesharing and Vanpool Projects Not Recommended Funding

ATTACHMENT A: FYE 2012 TFCA Recommended Shuttle, Ridesharing and Vanpool Projects

Project #	Project Sponsor	Proposed Project Title	Proposed Award	PUL (Yrs.)	C-E	ROG	NOx	Weighted PM	CO2	County	Project Type
11R05	Metropolitan Transportation Commission	511 Rideshare Program	\$1,000,000	1	\$ 33,795	9.79	10.46	9.34	2,222.76	REG	Regional Ridesharing
11R06	Peninsula Corridor Joint Powers Board	Caltrain Shuttle	\$1,000,000	1	\$ 37,648	7.5	7.18	11.88	9,916.68	SM	Existing Shuttle Service
11R07	City of Redwood City	Redwood City Community Shuttle	\$20,000	1	\$ 42,792	0.12	0.12	0.23	176.38	SM	Existing Shuttle Service
11R08	Valley Transportation Authority	ACE Shuttle Bus	\$960,000	1	\$ 55,428	4.34	4.98	8.00	6,381.78	SC	Existing Shuttle Service
11R09	San Jose State University	SJSU - Ridesharing and Trip Reduction	\$120,000	1	\$ 66,076	0.48	0.52	0.82	662.25	REG	Regional Ridesharing
11R10	San Joaquin Regional Rail Commission	Shuttle Route 54	\$50,000	1	\$ 83,369	0.28	0.18	0.58	439.41	ALA	Existing Shuttle Service
11R11	San Joaquin Regional Rail Commission	Shuttle Route 53	\$33,079	1	\$ 85,500	0.21	0.15	0.44	337.65	ALA	Existing Shuttle Service
11R12	City of Richmond	Transmetro (Richmond Circular and Marina Bay Shuttle Routes)	\$313,036	1	\$ 85,500	0.98	1	1.68	1,333.92	CC	Pilot Shuttle
11R13	The Presidio Trust	PresidiGO Downtown Shuttle	\$94,213	1	\$ 85,500	0.3	0.31	0.50	286.82	SF	Existing Shuttle Service
11R14	City of Oakland	Broadway Shuttle - "B"	\$278,724	1	\$ 85,500	1.06	1.01	1.80	1,374.04	ALA	Pilot Shuttle
11R15	Laguna Honda Hospital	Laguna Honda Hospital Shuttle to Glen Park BART Station	\$105,789	1	\$ 85,500	0.32	0.29	0.62	490.75	SF	Pilot Shuttle
11R16	City of Alameda	Estuary Crossing Bicycle/College Shuttle	\$114,380	1	\$ 85,500	0.36	0.37	0.61	519.19	ALA	Pilot Shuttle

Total

\$4,089,221

25.74

26.57

36.5

ATTACHMENT B: FYE 2012 TFCA Shuttle, Ridesharing and Vanpool Projects Not Recommended Funding

Project Sponsor	Proposed Project Title	Proposed Award	PUL (Yrs.)	C-E	ROG	NOx	Weighted PM	CO2	County	Project Type
San Leandro Transportation Management Organization	San Leandro LINKS Shuttle	\$ 59,020.00	1	\$ 534,004.00	0.06	0.03	0.11	58.9	ALA	Existing Shuttle Service
NCTPA	Napa Solano Commuter Shuttle	\$ 312,000.00	1	\$ 4,707,304.00	0.06	-0.21	0.21	191.5	NAPA	Pilot Shuttle
San Francisco's Sherriff's Department	San Bruno Jail Visitors' Shuttle	\$ 180,000.00	2	\$ (147,277.00)	-0.35	-0.82	-0.06	-41.1	SF	Existing Shuttle Service
Lawrence Berkeley National Laboratory	Incomplete application		1							Existing Shuttle Service

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Haggerty and Members
of the Mobile Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 17, 2011

Re: Update on Port Drayage Truck Program

RECOMMENDATION:

None. Informational report, receive and file.

BACKGROUND

In December of 2007, the California Air Resources Board (ARB) approved a regulation to reduce emissions from drayage trucks operating at California's ports and intermodal rail yards. The first phase of the regulation went into effect on December 31, 2009, and Phase 2 of the regulation goes into effect on December 31, 2013. A summary of the regulation's compliance requirements is shown in Table 1:

Table 1: ARB Drayage truck regulation compliance schedule

Phase	Date	Engine Model Years (MY)	Regulation requirement
Phase 1	12/31/09	1993 and older	Prohibited from operation as a drayage truck
		1994 – 2003	Install a Level 3 retrofit device
	12/31/11	2004	Install a Level 3 retrofit device
	12/31/12	2005 and 2006	Install a Level 3 retrofit device
Phase 2	12/31/13	1994 – 2006	Meet 2007 * engine emissions standards

* Trucks with 2007-2009 model year engines are compliant through 2022. Trucks with 2010 and newer engines are fully compliant

In 2008, the Air District accepted applications for drayage truck retrofit and replacement projects as part of its port truck upgrade program. Through this program the Air District received and awarded a total of \$25.8 million [\$13.8 million in California Goods Movement Bond (I-Bond) funding, \$2 million in US Environmental Protection Agency (EPA) diesel emissions reduction act (DERA) funds, \$5 million from the Port of Oakland (Port), and \$5 million in Air District TFCA funding]. These monies were used to assist with the upgrade of 1,522 trucks (1,319 truck retrofits and 203 truck replacements) operating at the Port.

As the next set of compliance deadlines approach for this regulation the Air District must consider how to best assist the trucker population at Bay Area ports with early compliance.

DISCUSSION

Table 2 below contains data from ARB's Drayage Truck Registry database, and describes the population of vehicles calling on Northern California ports by engine model year. Table 2 also identifies which groups of trucks received grant funds from the original Air District Drayage Truck Program.

Table 2: Drayage truck population as of July 2011

Engine MY	Compliant until	# of Drayage trucks in Northern CA*	# of trucks that received grant funds	Grant funds expended **
MY 1994-2003 (w/ retrofits)	12/31/13	1,700	1,319	\$15,586,534
MY 2004	12/31/11	700	0	\$0
MY 2005 & 2006	12/31/12	2,150	0	\$0
MY 2007 – 2009	2022	1,350	203	\$10,150,000
MY 2010 +	Fully compliant	400		
Total		6,300	1,522	\$25,736,534

* Number of trucks registered in the ARB Drayage Truck Registry (DTR) with zip codes North of Fresno.

** Funding sources for the Air District's Year 1 port truck funding program: TFCA (\$5 million), Port (\$5 million), ARB Prop 1B (\$13,835,133), and DERA (~\$2 million)

Air District Efforts

As part of the presentation for this agenda item, staff will update the Committee on Air District efforts to address early compliance for truckers affected by the upcoming ARB regulatory deadlines.

BUDGET CONSIDERATION / FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Anthony Fournier
Reviewed by: Damian Breen

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 24, 2011

Re: Report of the Climate Protection Committee Meeting of October 31, 2011

RECOMMENDED ACTION:

None.

BACKGROUND

The Climate Protection Committee will meet on Monday, October 31, 2011. The Committee will receive and consider the following reports:

- A) Update on Conoco Phillips Greenhouse Gas (GHG) Reduction Grant Program,
- B) Sustainable Communities Strategy Update; and
- C) Update on AB-32 Cap-and-Trade Regulation and Other Stationary Source GHG Regulations

Attached are the staff reports presented in the Climate Protection Committee packet.

Chairperson, Jennifer Hosterman will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) None.
- B) None.
- C) None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Hosterman and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 20, 2011

Re: Update on Greenhouse Gas Reduction Grant Program (GGRGP)

RECOMMENDATION

None; receive and file.

BACKGROUND

On September 10, 2007, the Attorney General of California (AG) entered into a Settlement Agreement with ConocoPhillips Company (Conoco) to resolve a dispute regarding the environmental impact of greenhouse gas (GHG) emissions (primarily carbon dioxide) from the Clean Fuels Expansion Project at its refinery in Rodeo, California. On November 24, 2008, the AG and the Air District entered into a Memorandum of Understanding (MOU) delineating the Air District's administration of a GHG emission reduction grant program using funds from the Settlement Agreement. The Air District received \$4,443,025 from Conoco by June 1, 2009.

On June 2, 2010, the Air District's Board of Directors (Board) approved the allocation of \$4 million in energy efficiency and renewable energy projects in Rodeo, Hercules, Crockett, and Pinole, under the GGRGP. The Board also approved a contingency list of 6 project components totaling \$3,148,556 that could be funded in the event that funds become available due to interest accrual or returned funds from projects that closed under budget or were cancelled. As part of this report, the Committee will receive an update on projects completed to date and funds expended under the program.

DISCUSSION

To date, nine (9) of the project components from the initial allocation made by the Board have been completed at a cost of \$55,807. A listing of those project components completed is provided in Attachment A. Additionally, most of the other remaining 33 project components are on schedule to be completed by June of 2012. Staff continues to work with the eight (8) sponsors of these projects and a complete listing of their project components is provided in Attachment B. Since the Board's action in June 2011, there were a number projects that were downsized or cancelled.

Staff is currently working to reallocate this funding and some accrued interest to the highest ranked projects on the Contingency List as shown below in Table 1:

Table 1: GGRGP Partial Listing of Project Components on Contingency List

Component Description and Sponsor	Amount Available
Solar panels for Hercules Middle-High School	\$299,933
Solar panels at Rodeo-Hercules Fire District – Station 76	\$100,140
Solar panels at Rodeo-Hercules Fire District – Station 75	\$52,593
<i>TOTAL:</i>	\$452,666

Staff will also use the previously approved Contingency List to allocate any additional funds that may become available from future interest accrued, unused administrative funding and returned funds.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None. Through the GGRGP, the Air District will distribute “pass-through” funds to public entities on a reimbursement basis. Administrative and audit costs for the program are provided by the funding source.

Respectfully submitted,

Jack P. Broadbent
Executive Director/APCO

Prepared by: Avra Goldman
Reviewed by: Karen Schkolnick

Attachment A: GGRGP Completed Project Components
Attachment B: GGRGP Project Currently under Contract with the Air District

Attachment A: Greenhouse Gas Reduction Grant Program (GGRGP) Completed Project Components*Project Components Completed as of October 20, 2011:*

Project Sponsor	Location	Project Component	Amount Invoiced
John Swett Unified School District	John Swett High School	Replace food service equipment (heated cabinet)	\$ 5,769.28
Rodeo-Hercules Fire District	Station 76	Install fluorescent light fixtures	\$ 2,606.00
Rodeo-Hercules Fire District	Station 76	Install reflective window film	\$ 884.00
Rodeo-Hercules Fire District	Station 75	Install fluorescent light fixtures	\$ 1,350.96
Contra Costa County	Rodeo Senior Citizen Club	Install fluorescent light fixtures	\$ 3,992.87
City of Pinole	Memorial Hall/Youth Center	Install fluorescent light fixtures	\$ 1,176.00
City of Pinole	Senior Center	Install fluorescent light fixtures	\$ 1,739.19
City of Pinole	Senior Center	Install high efficiency water heater	\$ 12,309.00
West Contra Costa Unified School District	Hercules Middle-High School	Install fluorescent light fixtures	\$ 25,980.00
			\$ 55,807

Attachment B: Greenhouse Gas Reduction Grant Program (GGRGP) Project Components Under Contract (Active)

Sponsor	Project Location	Project Component	GGRGP Funds Under Contract
City of Pinole	City Hall	Install vending machine controller	\$ 178
City of Pinole	City Hall	Replace boilers	\$ 37,120
City of Pinole	City Hall	Install solar panels	\$ 162,308
City of Pinole	City Hall	Updating HVAC controls	\$ 79,236
City of Pinole	Swim Center	Replace pool pump	\$ 15,270
City of Pinole	Swim Center	Install pool heater	\$ 41,248
City of Pinole	Swim Center	Install solar panels	\$ 207,423
City of Pinole	Memorial Hall/Youth Center	Install solar panels	\$ 110,768
City of Pinole	Senior Center	Install vending machine controller	\$ 89
City of Pinole	Senior Center	Install solar panels	\$ 159,911
Rodeo-Hercules Fire District	Station 75	Install vending machine controller	\$ 85
Rodeo-Hercules Fire District	Station 75	Replace gas fired water heater	\$ 3,019
Rodeo-Hercules Fire District	Station 76	Install vending machine controller	\$ 85
Rodeo-Hercules Fire District	Station 76	Install high efficiency central water heater	\$ 4,810
Rodeo Sanitary District	Rodeo Sanitary District	Install fluorescent light fixtures	\$ 21,050
Rodeo Sanitary District	Rodeo Sanitary District	Replace boilers	\$ 82,534
Rodeo Sanitary District	Rodeo Sanitary District	Install variable speed blower	\$ 146,422
Rodeo Sanitary District	Rodeo Sanitary District	Repair airlines	\$ 21,200
West Contra Costa Unified School District	Hercules Middle-High School	Install solar panels	\$ 1,302,682
Crocket-Carquinez Fire District	Station 78	Install vending machine controller	\$ 70
Crocket-Carquinez Fire District	Station 78	Install fluorescent light fixtures	\$ 1,894
Crocket-Carquinez Fire District	Station 78	Install high efficiency central water heater	\$ 3,616
Crocket-Carquinez Fire District	Station 78	Replace food service equipment (dishwasher)	\$ 445
Crocket-Carquinez Fire District	Station 78	Replace boilers	\$ 25,336
Crocket-Carquinez Fire District	Station 78	Install solar panels	\$ 102,363
Contra Cost Housing Authority	Administration Building	Install vending machine controller	\$ 89
Contra Cost Housing Authority	Administration Building	Install attic and ceiling insulation	\$ 22,529
John Swett Unified School District	John Swett High School	Install fluorescent light fixtures	\$ 4,368
John Swett Unified School District	John Swett High School	Install lamps, ballasts, and occupancy controls	\$ 23,654
John Swett Unified School District	John Swett High School	Replace single paned windows with double paned	\$ 498,169
John Swett Unified School District	John Swett High School	Install solar panels	\$ 449,247
John Swett Unified School District	Carquinez Middle School	Replace fluorescent lamps and ballasts	\$ 16,610
John Swett Unified School District	Carquinez Middle School	Install solar panels	\$ 318,052

Total Amount Under Contract \$ 3,861,880

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Hosterman and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 20, 2011

Re: Sustainable Communities Strategy Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In 2008, the California Legislature adopted SB 375, requiring all metropolitan planning organizations in the State of California to develop “Sustainable Communities Strategies” that align regional transportation, regional housing, and regional land-use plans. The goal of these Sustainable Communities Strategies (SCS) is to curb greenhouse gas (GHG) emissions from cars and light duty trucks through land use planning and supporting transportation investments. The legislation requires that each metropolitan region achieve specific GHG reduction targets and broader housing goals.

DISCUSSION

Per the requirements of SB 375, the California Air Resources Board set the GHG reduction targets for the Bay Area. The Bay Area region must reduce per capita GHG emissions from cars and light duty trucks 7% below 2005 levels by 2020 and 15% by 2035. SB 375 also requires that the SCS identify a land use plan that would accommodate the entire region’s population at all income levels.

In the Bay Area, the development of the SCS is being led by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). District staff has participated in all formal levels of discussion and planning of the SCS, including:

- Participation in all meetings of the Regional Advisory Working Group (RAWG)
- Participation in the RAWG Ad Hoc Committee on Performance Targets
- Participation in the Housing Methodology Committee
- Participation in the Inter-agency Modeling Committee
- Participation in the Equity Working Group
- Development of air quality performance targets for the SCS
- Participation in weekly regional agency staff meetings

Staff will provide an update on the status of the development of the SCS in the Bay Area, including an overview of the land use development scenarios, transportation investments, and the timeline for completion of the SCS.

BUDGET CONSIDERATION / FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Abby Young
Reviewed by: Henry Hilken

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Hosterman and Members
of the Climate Protection Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 17, 2011

Re: Update on AB-32 Cap-and-Trade Regulation and Other Stationary Source
Greenhouse Gas Regulations

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The AB-32 Scoping Plan was considered by the California Air Resources Board (CARB) in December 2008, and subsequently adopted by the CARB's Executive Officer in May 2009. The Scoping Plan identified a variety of measures to reduce greenhouse gas (GHG) emissions, including a market-based cap-and-trade program. In December 2010, CARB approved a proposed cap-and-trade regulation with modifications to be finalized through a subsequent rulemaking process. This rulemaking process requires CARB to finalize the regulation within one year from the date that the initial public notice was issued for the proposed regulation (i.e., by October 28, 2011).

As a result of litigation on the Scoping Plan, a California trial court found on May 20, 2011, that the environmental analysis of the alternatives to the Scoping Plan included in the Functional Equivalent Document (effectively a CEQA EIR), was not sufficient under CEQA. The court issued an injunction prohibiting CARB from continuing work on the cap-and-trade regulation (and other measures in the Scoping Plan). CARB subsequently filed an appeal of this decision, and in June the appeals court stayed the injunction allowing CARB to continue rulemaking activities. On September 28, 2011, the state Supreme Court denied a request to lift the stay and reinstate the injunction.

On July 15, 2011, CARB held a public workshop to discuss proposed modifications to the cap-and-trade regulation. CARB then released proposed text modifications to various aspects of regulation for public review and comment on July 25, July 27, and September 12, 2011. One of the proposed changes to the regulation would delay the time period under which the first compliance obligations must be surrendered by affected facilities by one year (by considering emissions data for the year 2013, rather than year 2012 as had been initially proposed). There have been no proposed changes in the cap stringency (which determines the GHG emission reductions resulting from the regulation), or the date of the end of the final compliance period (i.e., December 31, 2020).

The AB-32 Scoping Plan also contains “command-and-control” regulatory measures to reduce GHG emissions from stationary sources that are not subject to the cap-and-trade program. These include several measures that focus on the use of high Global Warming Potential (GWP) gases, and a measure for landfill methane capture. The regulations for most of these measures have already been adopted by CARB, and are beginning to come into effect.

DISCUSSION:

At the October 31, 2011 Climate Protection Committee meeting, staff will provide additional details on CARB’s cap-and-trade regulation. Staff will also provide an update on implementation of other AB-32 regulations that apply to stationary sources that are not subject to cap-and-trade.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Brian Bateman
Reviewed by: Jeff Mckay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 24, 2011

Re: Report of the Public Outreach Committee Meeting of October 31, 2011

RECOMMENDED ACTION:

None.

BACKGROUND

The Public Outreach Committee will meet on Monday, October 31, 2011. The Committee will receive and consider the following reports:

- A) 2011 Spare the Air Every Day Campaign,
- B) 2011-2012 Winter Spare the Air Campaign; and
- C) Update on Public Engagement Policy and Guidance Plan

Attached are the staff reports presented in the Public Outreach Committee packet.

Chairperson, Mark Ross will give an oral report of the meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

- A) Funding for this program was included in the FY 2010-11 and FY 2011-12 budgets. Funding sources include TFCA and Congestion Mitigation Air Quality (CMAQ) funds.
- B) Funding for the outreach program is included in the FY 2011-12 budgets.
- C) Funding for this project is included in the FY 2010-11 and FY 2011-12 budgets.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Vanessa Johnson
Reviewed by: Jennifer C. Cooper

Attachment(s)

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2011

Re: 2011 Spare the Air Every Day Campaign

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Spare the Air program celebrated its 20th anniversary this year and the basic premise continues, encouraging the public to change their behavior to improve air quality.

In 2009, the Spare the Air campaign transitioned to the Spare the Air Every Day Campaign, in an effort to encourage behavior change from residents, not just during Spare the Air alerts, but every day to improve air quality and protect the climate.

Last year, the Air District directed the Spare the Air Every Day campaign messaging to Bay Area residents aged 17-35. Edgier advertising and outreach proved successful and some elements were expanded to the general population this year. Carpooling and transit use continue to be the target behaviors.

DISCUSSION

Staff will present an overview of this year's campaign elements, including advertising, media relations and promotion at events. Survey data will be presented to highlight the success of the campaign and how the Spare the Air message resonated with the Bay Area audience this year.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this program was included in the FY 2010-11 and FY 2011-12 Budgets. Funding sources include TFCA and Congestion Mitigation Air Quality (CMAQ) funds.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristine Roselius
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2011

Re: 2011-2012 Winter Spare the Air Campaign

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

Regulation 6; Rule 3: Wood Burning Devices was adopted by the Board of Directors in July 2008. When adopted, the Air District committed to maintaining a strong messaging campaign to educate the public about the hazards of wood smoke. The wood smoke regulatory season will run from November 1, 2011, to February 29, 2012.

DISCUSSION

The Winter Spare the Air campaign will continue to inform residents about the Wood Burning Rule, and this year it will focus on the localized health impacts from wood smoke in the Bay Area. This year's campaign will include a stronger call to action and events that bring attention to some of the Bay Area's hot spots for wood smoke-related issues. Staff will present an overview of this year's materials and campaign strategy.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

Funding for the outreach program is included in the FY 2011-12 Budget.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Kristine Roselius
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson Mark Ross and Members
of the Public Outreach Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 18, 2011

Re: Update on Public Engagement Policy and Guidance Plan

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In late 2010, staff briefed the Committee on plans to develop a comprehensive, District-wide *Public Engagement Policy and Guidance Plan*. The purpose of this plan is to develop a District-wide, consistent approach when engaging stakeholders through Air District public processes.

In March 2011, the District selected Kearns and West, a collaborative solutions firm, to assist with the development of the *Public Engagement Policy and Guidance Plan*.

DISCUSSION

Staff will present a project overview and an update on the *Public Engagement Policy and Guidance Plan*.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Funding for this project is included in the FY 2010-11 and FY11-12 Budgets.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Ana Sandoval
Reviewed by: Lisa Fasano

BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson Tom Bates and Members
of the Board of Directors

From: Jack P. Broadbent
Executive Officer/APCO

Date: October 25, 2011

Re: Status Update on Regional Headquarters Acquisition

RECOMMENDED ACTION:

None, receive and file.

DISCUSSION:

On October 12, 2011 the Metropolitan Transportation Commission and Bay Area Toll Authority voted to proceed with the purchase of 390 Main Street in San Francisco. Staff will review the timeline for Air District financing, facility improvements and the transition from 939 Ellis Street to the new headquarters facility.

BUDGET CONSIDERATION/FINANCIAL IMPACT:

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jeffrey McKay